

California Journal

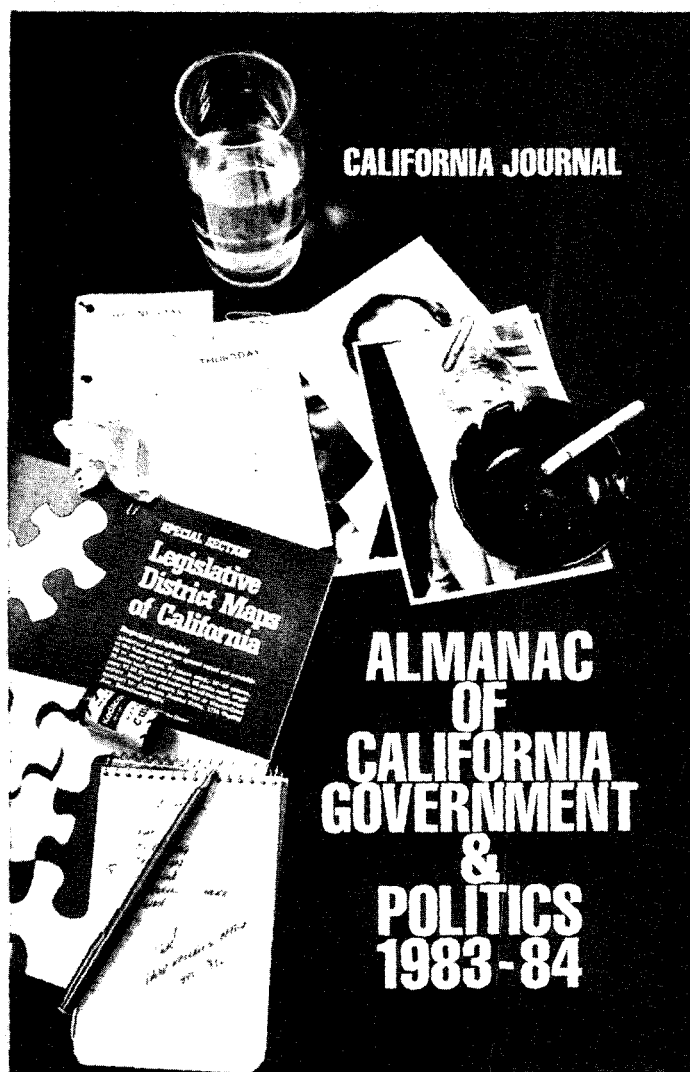
The Monthly Analysis of the Government and Politics

AUGUST 1984/\$2.50



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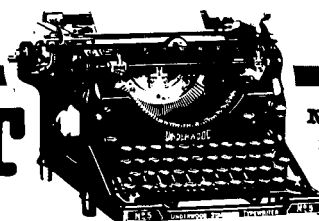
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UP FRONT



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from Contributors
and the Journal Staff.

John Hay, top staff man at the state Chamber of Commerce, says that Howard Jarvis could have had strong business support for his Jaws IV initiative on the November ballot for the price of a few concessions. Jarvis and business leaders alike contend that the State Supreme Court has punched loopholes in 1978's Proposition 13 and that the loopholes should be closed. However, Jaws IV goes further, requiring that local governments get two-thirds voter approval before raising fees for such items as sewer service. Business leaders say this would stifle growth and development. Hay and the Chamber's tax counsel, Fred Main, flew to Los Angeles from Sacramento last year to ask that Jarvis abort his fledgling signature gathering drive, rework the initiative and start again. But Jarvis, who had already aborted one effort to make other changes, declined.

Democratic Congressman Pete Stark of Oakland, an MIT graduate, says he has devised a formula that predicts how many lobbyists will appear at a hearing on a bill:

$$L_{(3)} = P/I_2(AF^2 \times D) - 93(AFDC + SSI + Medicaid)$$

Explains Stark: The number of lobbyists ($L_{(3)}$) present at a hearing equals the population of the nation (P) divided by the number of people affected by the bill (I_2). This figure is multiplied by the square of the Arcaneness Factor (AF) times the Dullness Factor (D) minus 93 times the number of references to poor people. The Dullness Factor, says he, comes from the number of crossword puzzles being worked in the hearing room during any 60-minute period. The Arcaneness Factor is determined by, among other things, the number of subparagraphs in a bill. Stark says his formula was proven true recently when he correctly predicted a standing-room-only crowd of lobbyists at a hearing on coal royalties — which affects a handful of coal producers. Two days before, he had predicted a much smaller crowd for a hearing on Medicare — which affects nearly 27 million people.

Rose Bird is a bard. Bird unveiled her talents May 1st with a 14-stanza "Ode to Frank Richardson," delivered at a Law Day tribute in Sacramento for the retiring justice, the only certified conservative on Bird's court. A sample from the laureate:

"Through bogs of briefs and marshes of memos, he diligently did slog,
While fighting the fight with tireless might for the rights of the overdog . . .

Frank Richardson is a gentleman, those are my sentiments,
Forceful were his majorities; abundant, his dissents."

(*Twyla Thomas, Julie Hoogland, Sacramento*)

As its lunch and afternoon special, the basement restaurant at the State Capitol recently offered a foot-long hot dog, fries or potato salad, a cookie and "1 lb coke," all for \$2.25. There was no estimate of street value.

(*Julie Mamalis, Sacramento*)

Look for cooperation but not necessarily coziness among the groups lining up to fight the lottery initiative on the November ballot. Churches and law enforcement get along well enough, but what if the race track operators come in? Wayne Johnson, campaign consultant for the law-enforcement types, says the lottery definitely is beatable, providing the opposition can raise \$2.5 to \$3 million.

Assemblyman Ernie Konnyu has a fund-raising gimmick that's worth a special mention: For \$500-a-person on August 15th, members of the Capitol's lobbying corps (Who else buys fund-raiser tickets?) can get a meal in the backyard of Konnyu's Sacramento home and a chance to hear him deliver the annual Barracuda Awards. The barracuda, being a mean and nasty fish, symbolizes the legislator who best stands up to lobbyists. Although Konnyu makes the presentation, he allows lobbyists to make the choice. Konnyu is fuzzy on why Assemblyman Larry Stirling was the first barracuda in 1981, except that it had to do with Stirling's attitude toward a special-interest bill sought by a group of Continental Airline employees. But Konnyu is vivid on another detail. He says three Continental employees showed up at his fund raiser, helped berate Stirling but never paid for their tickets, which were then \$300 each. But what the heck; Konnyu's award plaque doesn't carry the facsimile of a real barracuda, anyway. No



one could find one to copy, he says, so it's only a bass.

In 1982 Konnyu added a barracuda award for lobbyists; that is, the lobbyist — chosen by legislators — who is the hardest to say "no" to. The nearly unanimous pick was Pets 'n Pals lobbyist Gladys Sargent. "She follows you everywhere or just sits in your office until you talk to her," Konnyu explains. The legislative winner that year was Senator Milton Marks. According to Konnyu, Marks was picked more as an eel than a barracuda. "They picked him because when you try to pin him down, he's totally impossible," Konnyu says. Last year, Konnyu added a barracuda for the administration official toughest to negotiate with, as chosen by legislators and lobbyists. The winner was the governor's legislative representative Rod Blonien. Konnyu didn't explain that one, saying that he voted for Steve Merksamer, Deukmejian's chief of staff. The lobbyist barracuda last year was Aleta Carpenter ("She's so beautiful, you can't say 'no.'") and the legislator was Assemblyman John Vasconcellos ("He's hard to get an appointment with, and then he gives you lectures."). Nominees for this year's awards include lobbyist Art Krause (tells too many crummy jokes), Assembly Speaker Willie Brown (too expensive) and staff chief Merksamer (won't come out from behind his moustache).

It's tough building a statewide name for yourself from Ventura County. Just ask former state Senator Omer Rains who tried and failed to win the Democratic nomination for attorney general back in 1982 (a better-known John Van de Kamp beat him 2-to-1). But District Attorney Michael Bradbury — a Republican who many say harbors ambitions beyond the county courthouse — has done some things to get his name out of a provincial hole. First, he is the newly elected president of the 2500-strong state District Attorneys Association and his photograph and "president's message" are prominently displayed in a recent edition of *Prosecutor's Brief*, the association's quarterly magazine. Second, Bradbury's office has recently published a 75-page annual report — complete with photographs and statistics — that touts its accomplishments in fighting crime. A thousand copies of the report (costing \$3000) are distributed to state and Ventura County officials, Bradbury's constituents — and, of course, to the media.

Charlie Davis, a Democratic primary candidate in the 21st Congressional District, wins this year's Phoenix Award. On June 5th Davis conceded defeat after receiving 144 votes less than his primary opponent, George Margolis. On June 11th he conceded defeat again after additional ballots from Santa Catalina Island only reduced the margin to 114 votes. On June 26th, however, new totals from hand-counted write-in ballots showed Davis only 10 votes behind. With the tally that close, Davis demanded a recount — and came up a winner by 19 votes. Unfortunately, he's risen from the ashes only to face an uncertain future, for now he goes up against Bobbie Fiedler — an entrenched GOP incumbent.

Everyone knows that voters are apathetic; only 48 percent turned out for the last election. But Professor Larry Gerston of San Jose State says apathy afflicts some candidates as well. Gerston, chairman of the political science department, notes that there were no challengers for 12 of the 76 Assembly members who sought re-election this year. Moreover, there is a trend: in 1978, four Assembly incumbents were unchallenged; in 1980 it was seven; and in 1982 it was eight. Gerston says there is no similar shortage of candidates for the state Senate or Congress, which leads him to think that politicians look upon a two-year term in the Assembly as a not very good job.

Supreme Court Justice Malcolm Lucas recently gave some tongue-in-cheek advice to several new judges at a swearing-in ceremony in Los Angeles County: "First, never laugh openly at an attorney's argument — especially if a client is nearby. When you are on the bench, never sip the last drop from a soft drink can with a straw — use a glass to preserve the dignity of the court. Third, treat the bailiff with respect; he has a gun. And finally, never conclude your statement with 'Off with his head!'"

(Greg Lucas, Sacramento)

Some political candidates report their campaign expenses more minutely than others. And among the minutest must be Samuel Unger of San Francisco, who ran unsuccessfully for Congress last year. Among the "itemized disbursements" he reported were \$4.50 for a book (*How Our Laws Are Made*), \$8 for a haircut (to make his campaign photo look good), \$1.43 for scotch tape and paper clips; \$2.85 spent in various telephone booths and a fifty-cent contribution to a panhandler. To be sure that all reporting requirements were being met, Unger also listed the name and address of the panhandler: "Harold Lust, Homeless."

Rallying around the notion that Southern California's political power has made a colony of the north, a group called "Alta California" has formed to promote Northern interests within the Democratic Party. Among other things, "Alta" wants to pressure Northern Democratic lawmakers into not compromising on such issues as the Duke's water project and — if they fail to gain a share of power for the north — to seek partition of California into two states.

The Reagan administration seems more in tune with things West than was the Carter administration. To prove it, one need look no further than the presence of Interior Secretary William Clark and EPA chief William Ruckelshaus at the Western Governors' Conference, held in Palm Springs during late May. Jimmy Carter was traditionally represented by someone with the standing of a deputy energy secretary — even though Carter's Interior secretary was Cecil Andrus, a former Western governor.

Paul W. Little of Sacramento says he uses our analysis of ballot propositions to stir up trouble in his family. He explains that he reads our analysis, makes a summary

of his own and sends it to all his relatives along with recommendations on how to vote. Funny thing. The relatives don't always go along.

Calling all corporate attorneys. The State Bar is preparing its 1984-1985 Directory of California Corporate Counsel and needs to know who you are and who gets your counsel. Send your name, title, corporation, address and phone to the Directory, c/o Paul Van Buren, Pacific Bell, 140 New Montgomery Street, Room 1623, San Francisco 94105.

Opponents have been known to tear down a candidate's political signs — but cows? Candidate Paul Richins, running for a seat on the El Dorado County Board of Supervisors, had to string barbed wire around two of his roadside signs to keep the local bovines from uprooting them while using them as backscratchers. The trials of grass-roots politics.

(Pete Lorenzo, El Dorado Hills)

The grand reopening in June of Frank Fat's restaurant, a favorite hang out for legislators and lobbyists, has had a terrible effect. There was so much hoopla and advertising over the event that you can hardly get in for lunch anymore. Proprietor Wing Fat, not exactly tearful as he surveys his full house, says he thinks things will calm down.

To be humble to superiors is a duty, to equals courtesy, to inferiors nobleness.

THOMAS MORE

Come across a blurb lately that's nosy, newsy or smart-alecky about California government, politics or politicians? Share it with the Journal. We pay up to \$25 for entertaining tidbits published in "Up Front," so rush your items to Up Front, 1714 Capitol Avenue, Sacramento 95814.

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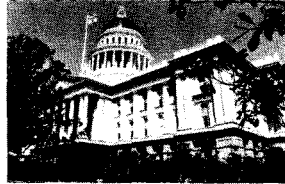
• LEGI-TECH		ACTION REPORT •
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ACTIONS:	06 26 84 PASSED BY ASSEMBLY COMMITTEE ON WAYS AND MEANS 06 13 84 PASSED BY ASSEMBLY 06 13 84 INTRODUCED IN SENATE 06 26 84 REFERRED TO SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION	
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CALENDAR:	07/03/84 SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION ROOM 2191 8:30 A.M.	
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Capitol review

The Legislature's Democratic majority, and Speaker Willie Brown in particular, don't look so good in their handling of the Gann initiative. To ignore the requirements of a voter-approved measure and to use taxpayers' money to fight it in court is not the path to a public-relations award. And, indeed, talk-show comments and letters-to-the-editor generally support that view. "Height of arrogance" is but one phrase from one letter in a blistering package of letters published by *The Los Angeles Times*.

But given the Democrats' need to control the Legislature (more on that later) Brown and Senate President Pro Tem David Roberti are doing what they have to do. True, Brown might show a bit more humility. After all, Gann was approved by a respectable 53 percent. But humility isn't a featured role in the speaker's repertoire. For him to play Willie the Humble is more than anyone should expect.

So things will go on as they are: Republicans blasting away at Democratic "arrogance," at least until the November election, while Democrats look for a court decision to settle it all.

Meanwhile, though, there are some questions about some of the strategic decisions that Democrats have made. Why, for instance, did Democrats not go to the Supreme Court before June 5th, before voters had a chance to give the measure solid approval? If the measure is unconstitutional, as Democrats say it is (even its Republican supporters will privately concede it has problems) then the Court could have blown it away beforehand and prevented all the subsequent fuss. There would have been no need even to think of cutting the Legislature's budget by 30 percent and of giving the Republican minority more control over legislative operations, which are the measure's two main goals.

Joseph Remcho, the San Francisco attorney who has been representing the Democratic majority since the time Gann qualified for the ballot, replies that Democrats couldn't be sure the Court would act. He explains that only last September, in response to an earlier Democrat-sponsored suit, the Court removed GOP Assemblyman Don Sebastiani's reapportionment initiative from the ballot, bringing charges of political motivation upon itself. As a result, he says, Democrats feared that the Court would be "reluctant" to act on the Gann initiative, another measure involving partisan machinations.

(Brown did nothing to help the situation by mentioning Sebastiani at a Democratic meeting later and saying, "Sister Rose and the Supremes took care of that little issue.")

As it turned out, the Court seemed no more eager after the election than it may have been before to become involved in the battle over Gann. On June 20th it turned down the Democrats' lawsuit (filed technically by the Legislature) to have the initiative declared un-

constitutional. Thus, there is no ruling and no one can be sure of when there will be one.

Some say Democrats erred by not mounting a major campaign against the initiative. Among those critics is Brown himself, who told the *San Francisco Examiner* after the election that he regretted not having run an anti-Gann campaign. However, the decision not to was based on what seemed like good advice. "I listened to the counsel and the guidance of the people who said, 'Don't make it a referendum on Willie Brown.' And so, consequently, I didn't challenge the issue," he said.

Others have said that Democrats erred by not making dramatic cuts in the Legislature's budget immediately after Gann was approved. Thus, voters — who probably care more about the Gann budget cut than any other provision — might have been convinced that Democrats were at least making a good faith start toward obeying the law.

But Remcho points out that immediate budget cuts would have meant immediate layoffs of legislative staff. And, he says, Democrats were reluctant to cause that kind of pain without first making an effort to have the initiative declared unconstitutional. Now that the Court has declined to make a ruling, layoffs are underway.

So, all the Democratic strategic decisions seem reasonable. However, not even Remcho would say that the problem ends there. In fact, Remcho himself, being paid with taxpayer funds to support the Democrats' cause, is part of the larger issue.

For the fact is that the Democrats have been using their control of the Legislature to build a powerful political apparatus, one that selects candidates, elects them and keeps them in office with a supply of lobbyist-contributed campaign funds. The growth has been remarkable. Five years ago, in fiscal 1979-80, the Legislature spent \$72.8 million in state money on itself. This year, 1984-85, it had planned to spend \$143.2 million — an increase of nearly 200 percent.

Because of the Democrats decision to abide by the Gann spending reductions, this year's spending will be reduced by \$37 million. But that still leaves a five-year increase of 146 percent.

None of this is because Democrats are especially greedy while Republicans are not. Unable to raise sizeable war chests from the rank-and-file (as Republicans can), Democrats have turned to the institution at hand. It's an old story in American politics, and so long as such situations exist there will be battles like that over Gann.

Meanwhile, though, there are efforts being made to create a stronger Democratic base outside the Capitol. Party Chairman Peter Kelly has launched a campaign to generate more support from the rank-and-file. To the degree his ideas succeed, Democrats can insulate themselves from threats like that of Gann.

Robert Fairbanks

Ten years after its birth during the post-Watergate era of political reform, California's Fair Political Practices Commission is undergoing a personality change. The agency that requires lobbyists and politicians to disclose their financial connections with each other is trying to become — according to some of those self-same lobbyists and politicians — a nice guy. In the words of prominent lobbyist Donald Carlton Burns, the FPPC used to be run by zealots who “prayed at every meal for a juicy scandal.” The FPPC still pursues wrongdoers, Burns says, but now it's done in a more “gentlemanly” fashion.

Nor is there much doubt that Commission Chairman Dan Stanford is responsible for this change. Assembly Speaker Willie Brown, who was once cited by the FPPC for representing law clients before government agencies, used to flash fire at mere mention of the FPPC name. But speaking of Stanford recently, Brown was downright effusive in his praise: “I don't think he is a cheap-shot artist, which you can easily be in that job. I don't think he has the need to stand on the heads of elected officials . . . to make himself a big man, and I think he may turn out to be the most outstanding appointment George Deukmejian has made.”

Bright, witty and 34, Stanford was appointed to the FPPC in February 1983 from a prominent law firm in San Diego. No stranger to politics, he worked in Deukmejian's 1978 campaign for attorney general and in Deukmejian's 1982 effort for governor. Also, after graduating from the USC law school in 1975 he clerked a year for Deukmejian's old law partner, Malcolm Lucas. Lucas, then a federal district court judge in Los Angeles, is now a Deukmejian appointee on the State Supreme Court.

Stanford has been working to change the FPPC's reputation almost from the start of his term, aiming to thaw the virtual cold war that existed between his predecessors at the agency and the lobbyist/legislator corps. In a variety of ways he has indicated that he wants the agency to be better liked around the Capitol than it has been in the past, to be seen as *more of a friendly cop on the beat* to

lobbyists and officeholders than as a watchful antagonist from outside.

Stanford says, for instance, that he dislikes having the FPPC known as a “watchdog” agency. Although he keeps a set of false fangs in his desk drawer (the gift of a staffer) and will smilingly bare them from time-to-time, he says the word “watchdog” makes him think of a salivating Doberman that runs up and down a fence with a brain that says bite anything that comes over. “I have a larger brain than that,” he says.

Not surprisingly, such sentiments do not set well with former officials of the agency, many of whom tended to approach officeholders and lobbyists with a fair amount of suspicion and no reluctance to bite. Thomas Houston, Stanford's immediate predecessor as FPPC chairman, says, for instance, that he always thought of himself as a “watchdog” and sees nothing wrong with the word. In fact, he says, the ballot arguments supporting the Political Reform Act of 1974 (the initiative measure that created the FPPC) promised voters a watchdog agency.

Houston, now chief of staff to Los Angeles Mayor Tom Bradley, and others (who asked anonymity) seemed concerned that Stanford's desire to improve relations at the Capitol could result in less strict enforcement of the law. Houston points out that although he was appointed FPPC

chairman by former Governor Jerry Brown, he nevertheless went after Brown and angered him with a scathing report on “Computergate,” an affair involving use of state equipment in the governor's office to help with Brown's outside political campaigns. “I never thought my job was to be liked,” he says.

But if there is evidence of weakened enforcement under Stanford's leadership, it has yet to surface. And meanwhile, Stanford declares that enforcement is as tough as ever. For instance, FPPC investigators currently are looking at Andy Mendez, Deukmejian's director of Veterans Affairs, and Roger Hedgecock, Republican mayor of Stanford's home city of San Diego. Mendez has been accused of using his office to raise campaign funds and Hedgecock has been accused of not reporting financial favors



THE FPPC

TURNING A SNARL INTO A SMILE

By RON ROACH

from bankrupt financier J. David Dominelli.

Stanford says that his instructions to staff investigators in the Mendez and Hedgecock cases have been the same as he gives in every case. "That is, to investigate and prosecute the matter as vigorously and as fairly as possible without regard to any and all political ramifications."

So if the FPPC is as vigilant as ever, how does Stanford go about winning more friends at the Capitol? The answer, according to Stanford, lies in such things as Christmas cards. Under Stanford, the FPPC is openly ignoring provisions of the law that once discouraged politicians from sending them.

Stanford explains that the FPPC had ruled before his time that an officeholder who used campaign funds to send out more than 200 Christmas cards could not simply sign his or her name to the cards like everyone else, for the cards would constitute a mass mailing under the law and therefore the name and address of whatever organization was funding the mailing would have to be shown.

As a result, each card and envelope would have to prominently display the name and address of the officeholder's fund-raising committee, such as "The committee to Elect John Doe." Rather than send Christmas cards that looked so political, most officeholders simply abandoned that effort to promote Yule-time cheer.

The purpose of the rule was clear: to prevent the use of anonymous mailings to smear political opponents. And going by the book, as the FPPC previously had done, there was little doubt that it covered holiday greetings along with everything else.

But in a letter last November to Speaker Brown, Stanford said that holiday greetings would henceforth be exempted from the rule. "Although mailings of more than 200 cards may technically constitute 'mass mailings,' it seemed absurd to impose the identification requirements of the Political Reform Act on the sender," he wrote.

Stanford contends that none of this means that enforcement of the mass-mailing rule has been weakened, and he cites the \$2000 fine levied last January on Beverly Hills Municipal Judge Charles G. Rubin as an example. "Unlike the Christmas card mass-mailing problem, Judge Rubin's (campaign) committee falsely identified the sender of a campaign mailer," he notes. Thus, the judge was fined the maximum amount. "That's firm enforcement," Stanford says, "but it's also based upon reality, balance and common sense."

A tour for the speaker

Stanford — a genial man — also acts on a personal level to get along better with legislators and lobbyists. In March 1984 he invited Speaker Brown to tour the FPPC offices a block north of the Capitol, giving Brown a chance to air his grievances against the FPPC before members of the agency staff. When some senators said recently that the FPPC left a bad taste in their mouths, Stanford sent them all bottles of mouthwash.

Stanford also is working to smooth relations with lobbyists. Last March, for instance, after lobbyist Burns was elected president of the 186-member Institute of Governmental Advocates, the lobbyists' own lobbying organization, Stanford invited him to a get-acquainted breakfast. The meeting was cordial, and Burns says now, "The guy has a very good sense of what the process is and I don't think his predecessors did. He understands both sides of the street."

More specifically, Burns is pleased by the FPPC's handling of its \$3500 fine last March against legislator-turned-lobbyist John Knox for various reporting violations. "They banged Knox pretty hard," Burns says, "but they didn't attempt to damage his integrity."

As the FPPC's \$63,000 a year chairman, Stanford is the FPPC's only full-time commissioner. The other four commission members attend monthly meetings to vote on major issues but generally leave day-to-day operations of the agency and its 42-member staff to him. As a result, Stanford takes many important actions on his own, deciding, for instance, how information is to be presented in the FPPC's influential reports on campaign spending. (He says he feels personally responsible for their content and accuracy.)

None of this means that the FPPC is totally dominated by Stanford, nor is it a one-man show. The Political Reform Act of 1974, the ballot initiative that created the FPPC, attempts to assure that the FPPC remains a broad-based and independent agency. Each commissioner has one vote, and the power to appoint commissioners is spread through the upper levels of state government.

Thus the secretary of state, the state controller and the attorney general each appoint one commissioner to a four-year term. The governor appoints two including the chair. However, the governor's second appointee may not be from the governor's own political party. Commissioners, including the chair, are limited to one four-year term.

Commissioners

In addition to chairman Stanford, the commissioners are Mickey Ziffren of Los Angeles, a Democratic Party activist and writer appointed by Secretary of State March Fong Eu; Art Metzger of Long Beach, a professor of business management appointed by State Controller Ken Cory; Charles Conrad of Thousand Oaks, a former assemblyman appointed by then-Attorney General Deukmejian; and H. Douglas Lemons



LEMONS

STANFORD

of Long Beach, a Democrat and businessman appointed by Governor Deukmejian.

Of the four, the one most often described as a tough enforcer is Lemons — the newest member of the group. A 59-year-old engineer and salesman for an oil-drilling equipment company, he was a "Democrat for Deukmejian" in the 1982 gubernatorial campaign and calls himself "the toughest SOB" on the panel. No one has challenged his claim and some say that because of him the FPPC — for the next few years at least — will have plenty of bite.

Last September, for example, it was Lemons who reportedly insisted that a fine against Democratic Assemblyman Bruce Young be jacked up to \$13,000, the biggest amount paid by a lawmaker in FPPC history. According to the Commission, Young, of Cerritos, had deceived voters by setting up campaign committees that were supposedly independent of himself but through which he received and spent campaign contributions (see "Bruce Young," *CJ* January 1984). Lemons says the FPPC staff had recommended a fine of about one-third the final amount.

(Stanford reportedly endorsed the staff recommendation in the Young case. However, commission sessions on such

issues are supposed to be secret, and Stanford declines to comment.)

Lemons says he fully supports Stanford's efforts to improve relations at the Capitol and says that he, too, dislikes the word "watchdog." "I want us to be the 'guardian' of the Political Reform Act, not a watchdog. I don't want to bite somebody — unless they get real mean and nasty and have to be bit," he says.

The \$10 limit

But despite his general support for Stanford, Lemons joined two other commissioners recently to vote down another Stanford proposal that would have won friends among lobbyists and legislators: removing the \$10 limit on the amount that a lobbyist may spend on a legislator each month. Both Stanford and his predecessor Houston agree that it is probably the most abused and least enforced provision of the Political Reform Act. And short of deputizing all the waiters at Frank Fat's (a favorite watering hole near the Capitol) there is no way to change things.

However, to many — including Houston — the \$10 limit has become a symbol for a major goal of the reform act: the breakup of chummy relationships between lawmakers and lobbyists that flourish so easily when a lobbyist can pick up the tab for a legislator's lunch, dinner and drinks.

Ten years ago, when the reform act was approved, \$10 was enough to cover a legislator's lunch or dinner, even with a drink or two. But today it's barely enough to cover a hearty breakfast. Thus Stanford, declaring, "I deal in reality, not symbolism," called for an increase to \$20 or at least a change that would set the limit at \$30 per quarter.

But Commissioner Ziffren led the opposition and Lemons went along, generating the 3-2 vote to oppose a Stanford-backed bill to authorize the change. The bill, authored by Republican Assemblywoman Sunny Mojonner of Encinitas, later stalled on the Assembly floor.

Almost as important as an individual commissioner is the commission's executive director, its chief of staff. This is so because the commission is a judicial panel; it does not

decide what cases shall be brought before it. That decision is made by the executive director after he reviews investigations conducted by the staff. If the commission agrees with the director that a violation has occurred, the director recommends penalties as well.

(By law, the commission may only levy a fine. If its investigations uncover signs of criminal wrongdoing, it may give its evidence to a county district attorney or the state attorney general.)

Along with everything else, Stanford has replaced the commission's executive director and made significant changes elsewhere in the upper-level staff. Speaking of them as a group, he says that the staffers who were there when he arrived had "no practical experience in the political process, in campaigns, the legislative process or the lobbying process, other than the experience they had here."

The most important departures were those of Ted Prim, the former executive director, and Robert Stern, the former chief counsel. Prim has gone to work for Attorney General John Van de Kamp and Stern is now employed by a private foundation promoting political reform. According to most observers, Prim and Stern were strict and tough. Former Commissioner Tony Quinn describes them as "very strong enforcers of the act."

Keplinger

The new executive director is John Keplinger, former news reporter, political campaign consultant and employee of the commission itself. Stern, who also served as the commission's lobbyist, has two replacements: Barbara Milman, promoted to chief counsel from within, and Robert McWhirk, hired as lobbyist from a Republican staff job in the Legislature.

But Keplinger is the key replacement. In his prior job with the commission, from 1975 to 1980, he was its chief media spokesman. From then until his return in June 1983 he handled various political and other chores for State Treasurer Jesse Unruh. Now 48, Keplinger was (and is)

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generally regarded among Capitol reporters as being calm, shrewd and straightforward.

Stanford says he picked Keplinger because he wanted someone "who understood and appreciated the important part this agency plays in the political process and who had an understanding of the realities of politics and the political process." In other words, it seems, he wanted someone who not only appreciated how devastating an FPPC investigation might be for a politician but could understand a politician's problems and could separate minor infractions from major ones and handle each accordingly.

When Stanford arrived in Sacramento last year he approached his job cautiously, indicating in early interviews that he was far more interested in enforcing the law as it stood than in pushing for new political reforms. However, he is clearly beginning to change. Among other things, he is supporting campaign finance reform and is pushing for new laws that would extend FPPC authority to cover campaign consultants and would allow the FPPC to penalize legislators who engage in conflicts of interest. (Currently, the FPPC may publicize their conflicts but not levy a fine.)

Stanford also is looking for a major expansion of his investigative unit so as to spend more time looking at the activities of city council members, county supervisors and other local government officials. "The agency has never aggressively enforced the law at the local level," he says.

But getting extra money from the Legislature has never been easy for the FPPC and this expansion would cost \$657,000 a year. However, an appropriation bill has cleared the Assembly and is awaiting action in the Senate. "That is what can be accomplished when you are reasonable," Stanford says.

Walter Zelman, director of public-interest lobby California Common Cause, an original booster of the Political Reform Act, says Stanford "is a little more cautious" than his predecessors, but "the job makes the man. I don't know how he can sit there and listen to problems day after day without being affected, without developing tendencies to act. I'm not saying he's ever going to be the leader of Com-

Terry and the Pirates

At least one lawmaker says the FPPC is no friendlier now than before — Assemblyman Terry Goggin. In a recent interview with the *Riverside Press-Enterprise*, the San Bernardino Democrat said: "They behave like a bunch of (censored) fascist Nazis, and you can quote me."

On June 5th, primary election day, the FPPC announced that it was fining Goggin \$3500 for failing to disclose various financial interests and was ordering him to place \$10,000 in a trust account so that an independent auditor could go through his fiscal records. And on the same day, Goggin lost the election, ending his 10-year legislative career.

Goggin complained that he had no chance for a fair hearing and said the FPPC is "getting close to being a secret police preying on elected officials. They terrorize people."

FPPC Chairman Stanford says the fact that the Goggin fine wasn't announced until election day probably helped Goggin in his re-election campaign. He says the real harm to Goggin was done by the length of the FPPC investigation, which had been going since July 1981. Stanford blamed Goggin for the length. "He's the only person in the history of this agency that we had to sue, to take to court, just to get documents because he wouldn't voluntarily turn them over . . ."

(Ron Roach)

mon Cause, but I'm very satisfied with the way he's responding to issues." 

Ron Roach is Capitol correspondent for the San Diego Tribune.

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Wary of salary issues, lawmakers say pay is too low

By A. G. BLOCK and CYNTHIA LAIRD

For a legislator, voting to raise your own pay is a no-win situation; no matter how low the salary, any attempt to hike it can be met with howls of protest from taxpaying constituents. Many legislators don't even like to talk about salaries, as the *Journal* discovered when it asked members of the state Legislature whether they believed their current salary of \$28,110.50 per year was too low, too high or just right. Over half of those who responded did so on condition that their names not be used.

The questionnaire, mailed last April to all 120 legislators, also asked members to identify a proper salary and to say how salaries should be set and by whom. Of the 42 who returned our questionnaire, 24 thought their salary was too low — in some cases, way low. But of those 24, four said that an increase due them in December 1984 would be sufficient. Thus, fewer than half the respondents indicated dissatisfaction with the salary situation. Thirteen others thought that current salaries were fine. Three members said salaries are too high, although one had his tongue planted firmly in cheek. Two returned the questionnaire, but without answers.

Payday, today and tomorrow

Senators and Assembly members don't have to pay for everything out of their salaries, of course. They get \$62 a day for living expenses while the Legislature is in session, averaging about \$12,000 a year — they also get a car allowance (\$265 per month for the Assembly; \$318 per month in the Senate). Fuel and maintenance for the cars is provided, as is a portion of the lawmakers' auto insurance.

The increase that takes effect next December was voted by the Legislature in September 1983 and will bring salaries to \$33,732 a year, a 20 percent increase over the current wage. Although the amount is substantial, it is actually less than the lawmakers could have been taking for themselves. This is so because the state constitution allows them to boost their salaries up to five percent a year. However, their last increase was in 1980, meaning that they went from 1981 through most of 1984 without any five percent increases.

Among those who wanted higher wages, reasons varied. "Our salaries are far below what persons with comparable responsibilities make," wrote Democratic Assemblyman John Vasconcellos of San Jose, chairman of the Assembly Ways and Means Committee. Adds a Democratic assemblywoman, "While our responsibilities are seven days a week and 10 to 12 hours a day, some city councilpersons earn at least \$38,000 plus have chauffeur-driven cars."

State Senator Gary Hart, a Santa Barbara Democrat, resented that members of Congress and the judiciary get paid a great deal more than he. But Hart — a former school teacher — noted that teachers make less, meaning that his wage, on balance, was okay.

Salary was not the only state check lawmakers felt was too small. Unlike other state employees — including members of the Legislature's staff — legislators must pay all of their own health and retirement benefits, plus transportation costs to and from home districts. Many, who wanted expense money increased to help defray these costs, echoed the sentiments of Republican Assemblyman Ernest Konnyu of Saratoga: "The cost of maintaining a second home in Sacramento is a major, additional financial burden" that Konnyu estimates cost him \$11,680 for 1983. "Frankly, without my wife working," Konnyu wrote, "I could not afford to be a legislator."

Southern California lawmakers especially complained about travel costs. Assemblyman Bill Bradley, a Republican from Escondido, felt that base salary was fine but that the per diem of \$62 was too low to cover living and commuting expenses. Says Bradley, "Most of us have to use some campaign funds to cover travel expenses." Assembly GOP leader Bob Naylor suggested that the state pick up those travel expenses, while a Democratic senator said that the state should pay for health and dental benefits as well.

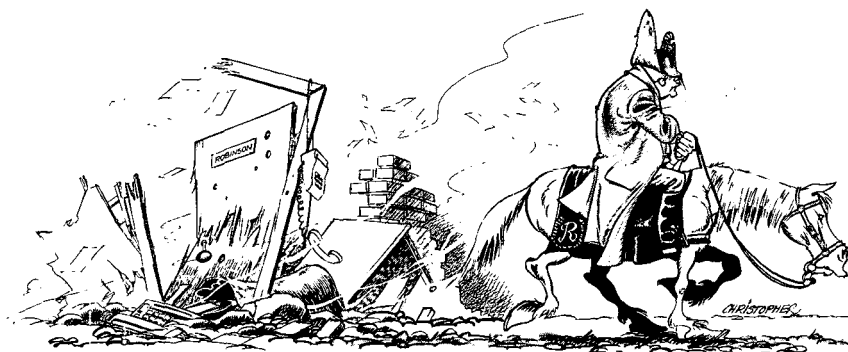
On the other hand, Republican Assemblyman Robert Frazee of Carlsbad thought that salaries and expense money were fine, even though he conceded that pay levels were below that given for comparable responsibility. Still, Frazee wrote, "Each member of the Legislature well knew what the salary was when he or she ran for the office . . ." Added Naylor, "There is little evidence that the salary situation is discouraging quality candidates."

How much; who says?

A majority of those who thought salaries were too low felt that legislators ought to be paid the same as a department director or Superior Court judge (\$66,190). Others suggested doubling the salary, or raising it by \$10,000 to \$20,000 per year. One lawmaker contended that \$200,000 per year would make the electoral process more competitive by putting salaries on a par with what highly motivated, intelligent people could earn in the private sector. Thus, he argued, the best people would be attracted to public service in the Legislature. All but one respondent felt that the Legislature shouldn't set its own salary; that the task should be taken over by an independent commission. Three lawmakers would require a vote of the people to raise salaries.

Finally, there was the tiny band of three who felt lawmakers were already paid too much. Two of them were Republicans — retiring Senator Ollie Speraw and freshman Assemblyman Bill Jones — who agreed that the Legislature ought to meet and be paid on a part-time basis.

And then there was Democratic Senator Nicholas Petris of Oakland, one of the Legislature's most enduring liberals. Petris suggested that salaries and expense money for lawmakers be eliminated, thus turning the Capitol over to those that could afford to serve. "Then," wrote Petris, "see how the new crop would protect the public interest." 



FOR RICHARD ROBINSON, ANOTHER FIGHT — ANOTHER FALL

By LARRY PETERSON

It would be easy to call this "the rise and fall of Richard Robinson." In April the Santa Ana Democrat was an influential member of the California Assembly, part of Speaker Willie Brown's leadership team and widely regarded as a potential successor to the speaker himself.

In May came the fall. In rapid succession, Robinson was stripped of his Assembly Democratic Caucus chairmanship, chairmanship of the Joint Committee on Medi-Cal and a post on the powerful Judiciary Committee. As a result, he lost 11 staff aides, a roomy, fifth-floor suite of offices in the Capitol Annex and the lion's share of his clout within the Assembly. In addition, he faces the toughest challenge of his ten-year political career this November against Republican Richard Longshore, a Santa Ana businessman.

But Richard Robinson has been through much of this before. During the speakership war of 1980, he was stripped of the considerable power he held at that time. Thus, the longer view is that Robinson's previous comeback may be the model for more.

Personality

The volatile ups and downs of Robinson's political career are suggestive of the personality and political profile of someone perfectly cast for that worn cliché: a study in contrasts. On one hand, he is a knowledgeable, hard-working and politically astute lawmaker who has successfully carried legislation of

statewide significance (Medi-Cal reform), as well as bills important to his Orange County constituency. But he is also hot-tempered and sharp-tongued, and sometimes abrasive, vindictive and thin-skinned. Once, he engaged in a shoving match with a colleague on the Assembly floor and had to be restrained by sergeants-at-arms. Some lobbyists consider him vain and vindictive, a charge Robinson does not deny but explains thusly: "I was sent up here to work for the people, not to kow-tow to lobbyists."

Politically, the 41-year-old Vietnam veteran seems to belong with the YUPPIE element of the Democratic Party. He supported U.S. Senator Gary Hart's presidential campaign and was a close friend to former Governor Jerry Brown. Yet he is mostly regarded as a conservative who attracts nearly as many Republicans as Democrats to his fund-raisers and who has sponsored a wealth of special-interest bills, especially on behalf of developers (see "Punching Holes," *CJ*, December 1983). On and off the floor, Robinson plays political hardball and is so familiar with the Assembly's parliamentary procedure that he can tie an opponent's bill into knots.

Robinson's political tumble of 1980 — his sixth year in the Assembly — occurred after he chose the wrong side in the protracted speakership fight. At that time he chaired the prestigious Joint Legislative Audit Committee and was a member of the Assembly Finance, Insurance and Commerce Committee (FI&C), a plum assignment because members are in a position to receive huge campaign contributions from those they help regulate.

Robinson jeopardized all that when he helped lead an abortive effort to replace former Speaker Leo McCarthy

with then-Assemblyman (now Congressman) Howard Berman. The effort failed, and McCarthy punished Robinson by booting him from FI&C and stripping him of the audit committee post. To this day, Robinson maintains what several colleagues call a "blind spot" with regard to McCarthy and is not bashful about launching into a tirade when the current lieutenant governor's name surfaces in conversation.

Brown and Brown

A year later, Robinson's career was resurrected when Willie Brown replaced McCarthy as speaker. Although Brown had been a McCarthy supporter himself, he wanted Robinson as an ally. Thus, Brown not only returned Robinson to FI&C, but gave him a spot on all-important Ways and Means as well as seats on Judiciary and on the important — because of reapportionment — Committee on Elections, Reapportionment and Constitutional Amendments. Later Robinson was elected caucus chairman.

About the same time, Robinson's friendship with then-Governor Jerry Brown added to his stature. The two were friends, says Brown's former chief of staff — Assemblyman Gray Davis — because Robinson "was one of the few legislators who stood by Jerry during his last two years in office." As a result, Robinson enjoyed an influence over some of Brown's appointments — especially judgeships — rivaled by few legislators.

The current fall from grace came after a series of clashes between Robinson and Speaker Brown. Ostensibly, the ouster centered on Robinson's support for Governor Deukmejian's water and tourism programs, which the speaker opposed. But there may be more. The atmosphere was spiced by rumors that Brown suspected Robinson of having designs on Brown's speakership. And, there was also talk of Robinson's interest in a program that provides state-guaranteed loans to selected businessmen — a project dear to the heart of Assemblywoman Maxine Waters, one of Brown's closest allies and Robinson's successor as caucus chair.

In addition to his problems within the Assembly, Robinson faces a difficult election in November (see "Primary analysis," *CJ*, July 1984). But it may be premature to consider this Robinson's final fall. Despite a loss of clout, he's still considered an effective lawmaker — an effectiveness colleagues claim is based on Robinson's bulldog nature. "Dick just won't take no for an answer," says Assemblyman Davis. "He does his homework and he just won't give up." 

Larry Peterson is a political writer for the Orange County Register.



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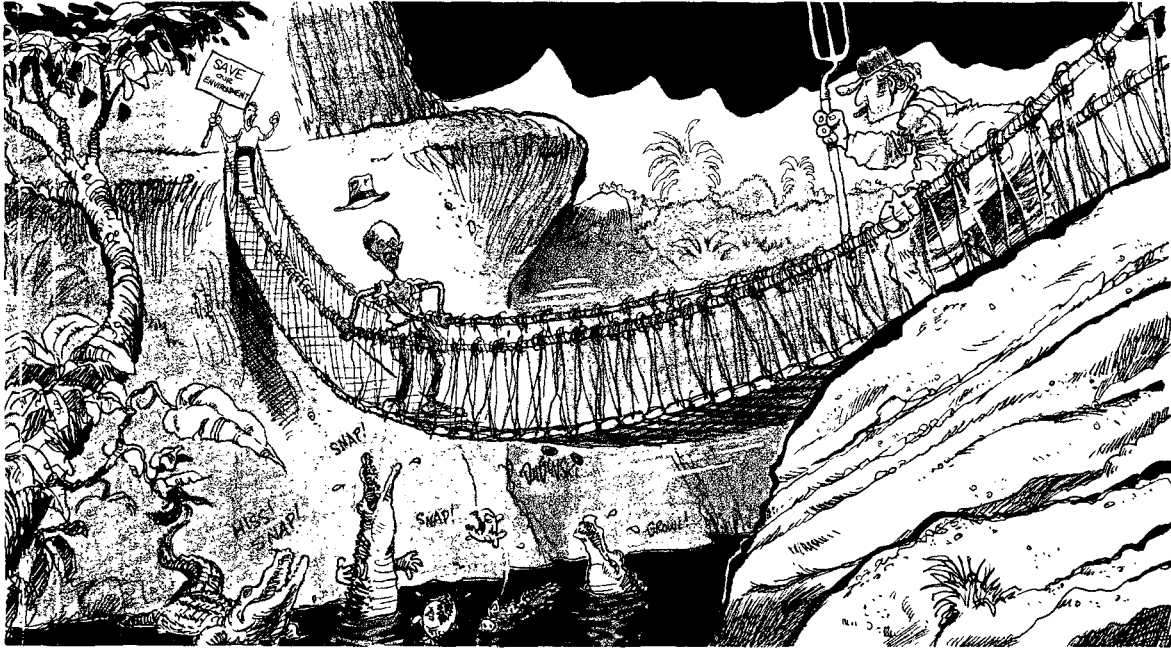
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A balancing act meant to please both sides



By DANIEL C. CARSON

Few California political groupies are unaware of the symbiotic relationship between famed San Francisco newspaper columnist Herb Caen and Willie Brown, speaker of the California Assembly. Rarely a week goes by that Caen's three-dot musings about life in "Baghdad-by-the-Bay" do not include a line about the hometown Democratic assemblyman's latest custom-tailored suit, speeding ticket or palace intrigue — all straight from the speaker's mouth.

So it came as a little bit of a shock the day Caen bit the hand that so regularly feeds him those newsy tidbits. With glibness but little subtlety, Caen wrote: "... Extremely sodden thought: It's a dull subject, friends, but I think Gov. Duke Deukreagan, an unreconstructed Southerner, is serious about stealing our delta water and shipping it Down There to That Awful Place that God intended to be parched until eternity. If the Speaker of the Assembly, Willie Wotz-ismame, doesn't stand up against The Dooker on this one, I say cut off his clothes."

Caen's call-to-arms (or sleeves) illustrates the tremendous pressures the renewed and raging California water war has brought to bear on Brown in the fourth year of his speakership. On the one hand, Governor Deukmejian's plan to move an additional 630,000 acre-feet of Northern California water southward every year through the Sacramento-San Joaquin Delta is supported by many members of the Assembly's Democratic majority, the group that elected Brown to the speakership and keeps him in his job.

Daniel C. Carson is a Capitol correspondent for the San Diego Union.

These "through-Delta" Democrats include not only Southern Californians but many Central Valley farm-belt representatives as well.

But, as Caen signalled, the prospect of funneling so much as another extra gallon to Central Valley cotton farms or Southern California swimming pools is enough to make Brown's Bay Area constituents and most other Northern Californians apoplectic. San Francisco remains a hotbed of issue-oriented environmental activists — many of them Democrats — who in extraordinarily lopsided numbers voted down the ill-fated Peripheral Canal water development project in June 1982.

No one is more aware of this dilemma than Brown himself. "If any politician doesn't understand the width and breadth of their (his constituents') attitude on this issue, he's got to be out to lunch," he says. What to do? Under the circumstances, there is only one thing Brown can do: Conduct a high-wire balancing act designed to make as few enemies as possible on both sides.

To placate San Francisco and the North, he says, he not only will vote against the governor's water-development bill (SB1369) but will demand that the measure — if approved by the Legislature — be placed on the ballot so that voters may make the final choice. On the other hand, to keep from alienating the farmbelt and the South, he promises not to exercise his formidable power as speaker to deep-six the bill in the Legislature.

However, maintaining such a balance may be easier said than done. Until last month the water bill (authored by Democratic Senator Reuben Ayala of San Bernardino) was in the Senate. But it has just arrived on Brown's turf, the Assembly, where anything the speaker says or does concerning water could affect the measure's fate. Whether

Brown, with his razzle-dazzle style, can keep from doing something that will anger one side or the other remains to be seen.

That this is serious business for the speaker is beyond doubt. In recent months key members of the Assembly Democratic Caucus have strongly backed the water development plans and at least two have directly challenged Brown's public utterances on the topic — something not common during his leadership term.

Last December, while addressing an agricultural conference on the University of California campus at Davis, Brown predicted that Assembly and Senate water committees would proceed "at their own pace . . . I would guess you're looking probably at 1985 before they complete all of what they are doing." Whether Brown meant to or not, his words were encouraging to opponents of any new water-development program. For the longer such a program can be delayed, the more likely it is that opponents will win some of the environmental protections and conservation requirements that they want.

According to an account published in the *Bakersfield Californian*, Brown's prediction was quickly challenged by Democratic Assemblyman Jim Costa of Fresno, chairman of the Assembly's water committee and the eventual co-author of the governor's water bill. He advised Brown that his agenda called for action on a water bill in the 1984 session. "I told the speaker that I thought things were going very well, and he told me he wasn't aware of that. He apologized for not having spoken to me before he made his speech," Costa was quoted as saying.

Since then, Costa appears to have no complaints. More recently, he complimented Brown for his helpful efforts toward ending 20 years of deadlock over additional water development. "I think the speaker's been open, accessible and attempted to provide a positive role in allowing the (legislative) process to work. He wants to see a resolution to it," said Costa.

The Robinson challenge

Brown's second challenge came last May from Richard Robinson of Orange Grove, then chairman of the Assembly's Democratic caucus. One day after the speaker told reporters that the water plan "must be available to the voters to cast a ballot on," Robinson sent Brown a two-page missive to make clear (as Brown had not) that the speaker's position was not shared by all Democrats in the caucus. "While I understand that you represent the San Francisco Bay Area and the sensitive nature of any water development proposition to your constituency, I must respectfully separate myself from your position on this issue. . . . I know how strongly we both believe in representative government and I, therefore, strongly recommend that each member cast their vote based on his or her beliefs of the present and future needs of his or her district," Robinson declared.

Robinson's loss of his caucus post only days later fueled speculation that Brown dumped him in response to that May 9th letter. The evidence strongly suggests, however, that the defrocking was instead related to a feud over the state tourism budget in which Robinson sided with the Deukmejian administration and against Democratic Assemblywoman Maxine Waters of Los Angeles, a close Brown ally (see story, page 297).

As if to underscore that point, on May 22nd, the speaker sent a "Dear Dick" letter to Robinson — with copies going to all members of the Legislature — drawing a distinction between his roles as the 17th Assembly District representative and as speaker on the topic of water.

" . . . I do not want to see us dive into huge earth-moving projects simply because we can. We must think big, but

build smart," commented Brown as he ticked off a list of complaints about the provisions of SB1369. But he assured his Assembly colleagues, "There is always room in our system for difference. I would not have it any other way. We all have a duty to represent our constituencies and I am sufficiently sure of our process to believe the results will be both wise and equitable."

Not surprisingly, Brown's efforts to placate supporters of the water bill are not sitting well with its opponents. Groups such as the Planning and Conservation League, Sierra Club and Friends of the River have been exerting pressure on Brown to do all he can to put environmental protections in the governor's bill — or block it if he cannot. "We feel, certainly the Sierra Club feels very strongly, the speaker should be exercising the powers of leadership to produce something much better than the governor has proposed," says Sierra Club lobbyist John Zierold. "It takes the direct intervention of the speaker, it seems to me, to see this comes to a proper solution."

Corey Brown, legal counsel for Friends of the River, when asked if he wanted the speaker to block SB1369, gave a succinct answer: "The governor's proposing a terrible water plan and we believe it should be stopped."

Agribusiness

Zierold and other environmental representatives also raise an issue that goes beyond Brown's need to placate those of his Democratic colleagues who support the governor's plan. And that is the role of agribusiness, which is firmly behind the new water plan and has been making heavy political campaign contributions to Brown. "Whether we like it or not, certain roads are traveled only by paying the toll," says one of the environmentalists.

Brown, in recent years, has tried to cultivate better relations with agricultural interests. According to the Farm Bureau's Sacramento lobbyist Bill Du Bois, the speaker has made great strides in that effort despite a continuing disagreement with growers over farm-labor issues. "We have to recognize that he (Brown) has given us every consideration in a number of ways," says Du Bois. "He is very understanding of the marketing problems of California crops. He even authored a bill one time to help us get a sweeter variety of peaches."

And Brown has helped in more substantive ways. An Assembly "task force" report issued last April and presented personally by Brown in a Capitol press conference backs changes in the state tax structure that would benefit farmers to the tune of tens of millions of dollars by reducing their dependence on bank borrowings.

In return, agribusiness has made generous donations to the speaker's campaign fund for Assembly Democratic candidates. Among his contributors are agribusiness giants Salyer and Boswell, who pumped more than \$1 million into the referendum against the Peripheral Canal bill, believing it was loaded down with environmental safeguards they considered too costly in money and water. This time out, they are backing "Deukmejian's Ditch." In 1983 the farm industry gave more than \$42,000 to the speaker, and this year that sum has already been exceeded.

Asked why farmers were doling out big bucks to Brown, the Farm Bureau lobbyist replies: "You have to recognize it's a new development for him to be acting as speaker and to have demonstrated a concern for agriculture. We couldn't very well operate in a vacuum, recognizing his understanding."

Du Bois sees Brown as posing no threat to passage of the governor's water development plan. "I don't believe it is one of Speaker Brown's purposes to try to deny the state its ability to comply with its water contracts," he says. Although Du Bois believes Brown has the power to bury

the through-Delta plan, "I think he feels it's better not to exercise such an option, not to test it. It's not in his personal interest to do that. His personal interest is providing the proper kind of leadership of the Assembly."

During the last big water fight, over the Peripheral Canal, Brown was an opponent. Eleven days after he won the speakership in 1980, he declared himself "unalterably opposed" to the canal and vowed to lead the fight against it.

The speaker now agrees that, but for delivering a couple of speeches and including an anti-canal message on his reelection slate cards, he ended up leaving most of the campaigning to others. Later, Brown accepted a seat on then-Lieutenant Governor Mike Curb's water task force, which published a report sharply critical of the Peripheral Canal and supported a through-Delta facility similar to the one now advocated by Deukmejian. But the speaker said he only attended one task force meeting and never endorsed its recommendations.

However, Brown has served notice that this time there will be a new party to the water bill negotiations — himself. His decision to become involved, he says, was unavoidable. "I'm certainly a key figure in the current discussions because it all keeps going back to me," he says.

On February 17th, well before the governor's own water plan was introduced, Brown authored AB3631, a measure to protect and restore San Francisco Bay fisheries from potential and actual damage caused by pollution and water-development projects. The bill provides for the state Water Resources Control Board, and a technical committee of experts, to review all existing data on Bay contamination problems, set standards to protect the Bay and restore fish and wildlife "to historical levels," then monitor to ensure the standards are met.

Technically, the bill is dead because it has never received a hearing or a committee vote. However, its provisions establish Brown as an environmentalist and protector of San Francisco Bay. Meanwhile, Brown has signed on with 18 other Assembly Democrats — all but two from Northern California — in sponsoring a proposed constitutional amendment providing a long list of environmental protections the governor has refused to accept in SB1369.

Like Brown, Deukmejian wants a public vote on the water-development program but wants it this November so that the program may quickly move ahead. However, a proposed constitutional amendment (SCA16) that was to be the vehicle for the November vote, failed to get the necessary two-thirds majority in the Assembly June 28th and has been returned to committee.

Referendum

But there is another route to the ballot. Just as there was a referendum on the Peripheral Canal bill two years ago, there could be a referendum on the governor's main bill, SB1369. If the bill is approved in the Legislature, and if opponents can gather enough signatures to place it on the ballot, it would go before voters in June 1986, unless the governor were to call a special election before then.

Many Democrats, led by Senate President Pro Tem David Roberti, like the referendum idea because it would force a vote directly on the issue of the water bill. Linking the bill to the proposed constitutional amendment, as the governor wishes to do, could make for a less clear campaign. Perhaps more importantly to many Democrats, a referendum in 1986 on a measure that is highly unpopular in the North state could hurt the governor's reelection bid that year.

For Brown, a referendum has other advantages as well. It would give his environmentalist supporters one more shot at killing the bill while helping to take him off the hook

with them for having let the bill emerge from his house. Also, as Brown acknowledges, mere legislative defeat of a water bill would leave the governor free to move ahead under authority of the 1959 Burns-Porter Act to start a new water program on his own. Rejection by the voters presumably would prevent him from doing so.

Aware, no doubt, of the political harm it might do him but not mentioning it, Deukmejian says he opposes a referendum on the water bill because it would continue the divisive battling over water development until 1986. If the issue were to go before voters in November, the strife would end this year.

Deukmejian's hopes of avoiding a referendum were tied to an "urgency" clause that was part of the water bill. Such a clause allows a bill to take effect immediately after it is signed by the governor and exempts it from the referendum process. But on June 28th, the same day that the Assembly defeated the governor's proposed constitutional amendment, the Senate approved the water bill but only after stripping away its urgency clause.

In any case, the bill has moved to the Assembly and the showdown is expected there. Having made a campaign promise in 1982 to come up with another water-development program, the governor will push not only for his bill but for restoration of its urgency clause. "Generally, when we support things, we support them wholeheartedly," says Steven Merksamer, the governor's chief of staff.

For his part, Brown swears he will not use his speakership powers to block the bill. "I will not, I never have used the power of the speakership to block any legislation and I won't do that with this legislation. I'm already getting pressure (to do that), and I will continue to resist that pressure," he declares.

What will Herb Caen say?



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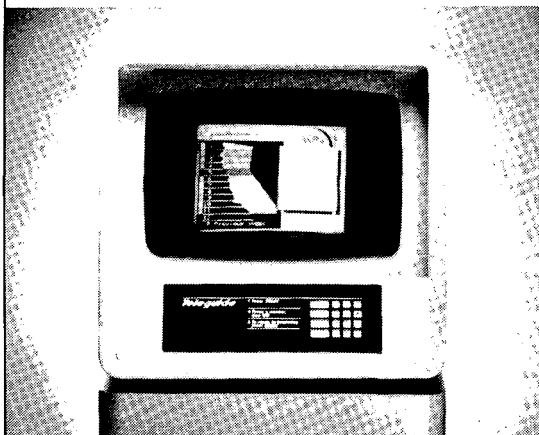


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By JAMES R. CARROLL

For California Republican Daniel Lungren, there's no better way to warm up for a day in the Congress than with a good round of kicks and punches right after a light breakfast. It's his karate workout, conducted in that sanctum sanctorum, the House gymnasium, where a sign sternly warns: NO GUESTS OR TOURS ALLOWED.

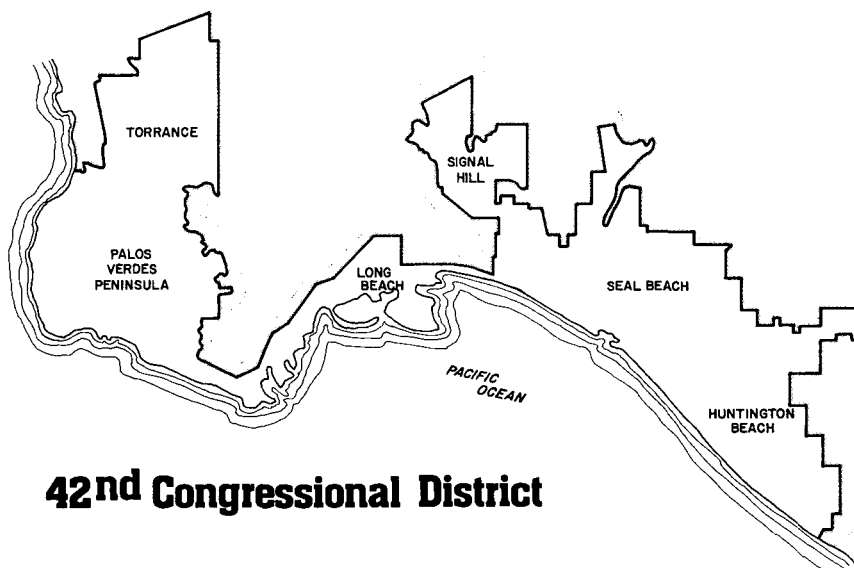
Lungren wears a white tunic with a breast patch that would make any red-blooded conservative proud. "*Jhoon Rhee Institute Tae Kwon Do. Might for Right,*" the Korean patch says. Republican Congressman Toby Roth of Wisconsin, a frequent sparring partner, jokingly gives the book on the Lungren style of karate: "They call him 'The Bull' because he just attacks."

That is no surprise to other members of Congress who, as Republicans, have delighted in, and, as Democrats, occasionally have been bruised by, Lungren's aggressive, tenacious brand of politics. Indeed, two months after he first entered the House in 1979, Lungren showed he wasn't going to be just another good little minority freshman by tangling with the House leadership over a proposal to create a Select Committee on Committees. Lungren considered the idea wasteful, but lost. Nevertheless, *The Washington Post* found the debate stimulating enough to write an editorial, drawing an analogy to the Jimmy Stewart film "Mr. Smith Goes to Washington," the classic about a neophyte's introduction to Capitol Hill politics. "No Jimmy Stewart is Mr. Lungren, and Mr. (Richard) Bolling (the Missouri Democrat who was chairman of the House Rules Committee at the time) is certainly no Claude Rains. Yet there was the taste of a real clash in this, with real principles at work."

Lungren, whose principles are unquestionably rooted in conservatism, was often on the House floor in debate after he first came to Washington. His oratory, according to one observer, "started at a near shout and sometimes ended closer to a scream." To some, Lungren no doubt appeared to be just another right-winger from Southern California — all bombast and no ballast. Now seeking his fourth term, Lungren has proved he is of more substantial stuff. Many observers consider him one of the brighter lights among the new, younger Republicans who hope to take control of their party when Ronald Reagan retires, if not before. The respect for Lungren reaches across the party

James Carroll is a Washington correspondent for Knight-Ridder newspapers.





42nd Congressional District

aisle to none other than the head of the House himself, Speaker Thomas P. "Tip" O'Neill of Massachusetts.

The speaker wrote Lungren after Lungren had received an alumni award from Notre Dame University, saying: "You have the qualities I admire in a politician. You are loyal to your party and your president, you love your country and you love politics. You never do anything halfheartedly and in true Notre Dame fashion, when you rise to debate in the House you 'shake down the thunder from the sky.'" The letter is hanging in a frame on a wall in Lungren's Washington office.

Lungren may be fiercely loyal to his party, but he is not always predictable. When the bill to make Dr. Martin Luther King Jr.'s birthday a federal holiday came before the House in June 1983, Lungren surprised everyone by reversing his long-standing opposition to the proposal, admitting publicly that he may have been "so hung up on the question of cost that I lost sight of the question of what this occasion symbolizes." He recalled that as a student in his hometown of Long Beach, "the actions of many, but particularly Dr. King, brought to me the sense of injustice that was continuing to be perpetrated against the black members of our population." Pleased backers of the King holiday bill credited Lungren for helping to make other conservatives more comfortable in voting for the measure, which, of course, eventually passed.

Lungren surprises in other ways, as well. A non-drinker, he eschews the vaunted Washington power lunch on most days in favor of a sandwich from a brown paper bag he brings to work. (Peanut butter and jelly, he confesses, is his favorite, and it is made by his wife, Barbara, as she packs the school

lunch boxes of their three young children.) Not overly image-conscious, Lungren wears a sportcoat more often than a pin-stripe suit. And he drives to work from his suburban Virginia home in a 1971 Chevrolet Monte Carlo with more than 120,000 miles on it. "It still runs great," he explains.

Three-term congressman or not, Lungren still gets incensed by some of the accepted procedures around Congress, and he lets his colleagues know about it. In June he did what most House members would consider unthinkable: He argued against spending \$20 million in the fiscal 1985 budget for a new federal office building in his district. The building is being pushed by Long Beach's other congressman, Democrat Glenn Anderson, whose district borders the downtown site for the \$41 million project. But Lungren, citing General Services Administration letters admitting the project is not a top priority, insisted spending for the building in his district "makes no sense at all." However, Anderson so far has prevailed. Lungren said he wanted "to spark a little debate about the way in which we pick federal buildings in this place."

But Lungren's real notoriety, and new-found at that, has come since Congress began debating over how, and whether, to change the nation's immigration policies. It is an issue, Lungren admits, he had little interest or expertise in until he ran for Congress. The immigration issue, he says "would pop up in conversations (with district constituents) without my bringing it up. It was a real surprise to me. The consistency of the concern is what surprised me at first; then I became intrigued with it." When he arrived in Washington, Lungren landed a spot on the House Judiciary

Committee. He also was granted his request to be on the immigration subcommittee, the first California lawmaker to serve on that panel in decades.

During more than 50 hours of House debate in June, Lungren sat in the same brown leather chair on the House floor, a television camera trained on him, rounding up support for a complex package of proposed changes in immigration laws sponsored by Congressman Romano Mazzoli, a Kentucky Democrat. Lungren, now an acknowledged authority in Congress on immigration, was the GOP's floor manager for the bill. Lungren and Mazzoli, says Florida Democrat E. Clay Shaw, formed "one of the best bipartisan teams" in the House in years, even though Mazzoli complained of trouble sleeping as the vote on the bill approached. Lungren had no complaints. "Dan is more placid," Mazzoli marveled after the House narrowly approved his bill and sent it to conference committee. "Maybe it's the Teutonic blood."

Lungren, 37, has been involved in politics for a long time. The second of seven children, he is the son of President Richard Nixon's White House physician. The elder Lungren is still close to the former president, and the younger Lungren still admires Nixon. "I suffered emotionally through his ordeals" during Watergate, Lungren says. But Nixon, he insists, remains one of the most knowledgeable people in the country on world affairs. "We reject his advice and counsel to our detriment," he says.

A matter of principle

While working on his law degree at Georgetown University in the early 1970s, Lungren served on the staffs of Republican senators George Murphy of California and Bill Brock of Tennessee. Lungren later worked for the Republican National Committee. He was a lawyer back home in Long Beach for only a couple of years when he decided to run for Congress in 1976. Although incumbent Democrat Mark Hannaford won reelection by a mere 3,000 votes, Lungren turned the tables on him two years later, winning by 17,000 votes. Lungren's victory was based largely on his support for Howard Jarvis' Proposition 13, the property-tax cutting measure, which Hannaford opposed. In 1980 Lungren had an easier campaign, demolishing Simone, a one-named Democratic opponent, 72 to 24 percent.

When the late Phillip Burton, the San Francisco Democrat, drew new congressional districts to create more Democratic seats in Los Angeles, Re-

publican Lungren turned out to be one of the beneficiaries. Yet he opposed the plan anyway as an unjust attempt to muscle Republicans. Again, it was a matter of principle. The redrawn 42nd District he now represents includes the Palos Verdes Peninsula, a strip a few hundred feet wide along the Los Angeles and Long Beach waterfronts, a small part of Long Beach itself, and Seal Beach and Huntington Beach in Orange County (see map). In 1982 the heavily Republican district returned Lungren to Congress in a 69 to 28 percent landslide over Democratic opponent James Spellman. For Lungren, his triumph was soured by his failure to get his brother Brian elected to Congress from the neighboring district occupied by Anderson.

A member of the Joint Economic Committee in Congress, Lungren has earned some public attention with hearings on unemployment, job retraining and proposals for a new national industrial policy. As a member of a special commission on the internment of Japanese-Americans during World War II, he disagreed with the commission's recommendation that individual reparations be paid to surviving internees. He also has differed with the Reagan administration on a handful of issues, most significant being the three-year, \$98 billion tax increase the president requested and Congress enacted. Lungren also serves on both the steering committee of the Republican High Technology Task Force and the Republican Task Force on Regulatory Reform.

But it has been the immigration issue that has put Lungren on network news shows and on the front pages of *The Washington Post* and *The New York Times*. He doubts it is an issue that could help him to higher office. "If it were, I sure got on the wrong horse," he says. Almost as if to con-

firm that, about 40 opponents of the Mazzoli bill picketed Lungren's Long Beach district office as House debate began. Some of the picketers carried signs accusing Lungren of being a racist, a common charge used against supporters of the bill.

Nevertheless, Lungren says he is considering running in 1986 for the U.S. Senate seat now occupied by Democrat Alan Cranston. Lungren says he will evaluate his prospects after November, when he hopes to be reelected to the House. His decision, he says, will depend on three things: how well the GOP fares in House elections this fall, whether it appears he could accomplish more in a GOP-run Senate than in a Democrat-run House and whether his family would agree to go through a grueling statewide campaign. "I think Cranston's beatable," Lungren says. "I think his past successes reflect more the weakness of his opposition than the strength of his own candidacy." Cranston's presidential candidacy, he adds, "clarified his stand on the issues" and proved the senator to be "a very strong member of the very liberal wing of the Democratic Party. As a result, he is a viable target."

In the meantime, Lungren and Republican colleagues of like mind are working to make an impact on the direction of their own party. Lungren is one of the founding members of a small band of House Republicans called the Conservative Opportunity Society, which is dedicated to fighting "the liberal welfare state" and saving "moral values."

Lungren predicts President Reagan will ride the tide of a strong economy and an improved international atmosphere to a second term in the White House. But, the congressman says, "what will happen beyond Reagan depends on the type of campaign he mounts and what he puts forward as

his agenda. . . . It's a question of being bold and aggressive instead of being stand-patish. There are some people in the White House who believe the best way to win is not to lose. I think that's just wrong. . . . We must run an offensive campaign that looks to the future."

Part of that future, Lungren says, is a nation moving toward greater political and economic decentralization. The liberal model of a centralized government imposed on such a society, he says, "is doomed to fail."

The new Republicans, Lungren says, "philosophically believe in the idea of self-determination and independence," but have an outlook that "is different from the stereotyped conservative approach." Lungren, who chairs the House Republican Task Force on Crime and was one of the organizers of an all-night House floor debate in support of a constitutional amendment to permit prayer in schools, says he and the other members of the Conservative Opportunity Society "want to make sure our party doesn't say, 'We're satisfied where we are.' I hope we won't become satisfied with what we're doing here. To be a viable political force in this country, you've got to be moving." 

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Radical revisions by state mean stiffer courses for students

By MICHAEL FALLON

With little fanfare, state school officials — led by Superintendent of Public Instruction Bill Honig — are preparing a radical revision of achievement testing in the public schools. If all goes as planned, students will be tested more often and in more subjects than they are tested now. Furthermore, the test questions overall will be more difficult than anything students have faced before. And finally, because local school officials will want their students to do well on the new state tests, the state tests themselves more than ever will decide what gets taught.

"It's going to be powerful if we can bring it off," Honig says. "I think we've got a chance to do something in this state which is quite revolutionary."

Relatively few school administrators and teachers appear to be following the new developments, whose beginnings were authorized under the big Hart-Hughes Education Reform bill (SB813) of last year. However, among those who are keeping abreast, there have been expressions of fear that some students, particularly in urban districts, may be unable to meet the new standards. As a result, state officials are planning to withhold the public release of some test scores for several years, thus giving lower-achieving school districts a chance to redesign their curricula and improve their scores before the spotlight hits.

Until this year, the California Assessment Program (CAP) measured student achievement in reading, writing and mathematics with tests that were given in the third, sixth and 12th grades. Scores from these tests have been announced annually and are generally seen as barometers of quality for the public schools. (For the most part, test results have been holding level in the third and sixth grades but dropping year-by-year in the twelfth.)

Additionally, the state required local districts to administer their own minimum proficiency tests in reading, writing and math to students in the upper grades of elementary school, junior high and high school. Students who still fail in the 12th grade (about one percent of the total) get no diploma.

Overall, the CAP and minimum proficiency tests were relatively easy — checking, for instance, a student's ability to grasp the literal meaning of a short reading passage or to handle a simple computation in math.

Revisions

Honig's test revision effort has two main parts, the more important of which (at least for now) is a radically expanded and more difficult California Assessment Program. The second part (also authorized by SB813) is a voluntary test program for high school students — modeled on the Re-



gents' examinations given in the State of New York — to assess a student's range of knowledge in English, mathematics and other academic subjects. It is to be known as the Golden State Examination program.

Concerning the first part of the revision, the redesigned CAP, its tests will be made more difficult by including many more questions aimed at assessing what educational deep-thinkers call "higher-order thinking skills." In reading, for example, students will be asked to interpret the prevailing feeling or tone of a selection, to detect the author's attitude or to separate fact from opinion. In math, there will be new emphasis on two-step problems in the context of real-life situations. Students will be asked to make estimations to predict reasonable solutions and to otherwise engage in mathematical reasoning (see accompanying examples).

Under the SB813 reform, these more difficult tests are scheduled not only for the traditional testing grades (three, six and 12) but for the eighth and 10th grades as well. However, if Honig and his planners have their way, the new tests eventually will be given in all grades and — as the reform also authorizes — will cover additional subjects such as history, social studies, science and perhaps even art.

In other words, the state could be testing at every grade level and in every major subject taught in the schools. Inevitably, the questions on the tests would shape local school curricula, creating a new degree of curriculum uniformity around the state and a loss of local control.

To make that pill as easy to swallow as possible, Honig is working with a group of school district superintendents who will provide guidance on expansion of the CAP tests. Honig has also set up a task force on assessment and accountability composed of curriculum specialists and testing technicians from around the state. The two groups are working not only with the tests but with textbook publishers who provide much of the teaching materials for the public schools. For the first time, tests and books would be compatible.

Additionally, Honig hopes the new CAP tests will elimi-

nate much of the duplicated effort that marks public school achievement testing. Much of this occurs because current CAP tests, which require 40 minutes of school time, are not designed to measure individual achievement. Using what is called a "matrix sampling" technique, the tests measure the performance of an entire school or an entire school district, but not of individual students. To get that information, school districts must give students another set of tests. And often, to meet standards for compensatory education programs, districts must administer yet a third. And, of course, there are the minimum proficiency exams.

Super tests

At the education department, planners are looking forward to all-purpose tests — "super tests," Honig calls them — that would satisfy all needs. Each test would require about three hours of school time and would not necessarily be prepared in its entirety by the state. The job might be done in concert with textbook and commercial test publishers, who might lease or license large pools of questions from the state.

"I think the news in California is that you've got test-publishing companies that are willing to give you more than just a basic test," Honig says. "They're willing to give you a comprehensive achievement test that includes science, literature and history, but gives you a clearer indication of how much students know. It's going to save time, it's going to be much more sophisticated and scoring is going to be done more quickly."

But regardless of how the tests are prepared, or who does it, the results would be the same: a lengthy statewide examination given annually to every student in the public schools in all grades and in all important subjects. Estimates are that this ambitious plan will cost over \$5 million to develop and cannot be fully implemented until 1988-89 at the earliest.

However, a start has been made. The eighth grade test authorized by last year's reform was given to California students for the first time last spring. For the most part, it covered the traditional subjects — reading, writing and math — but it was comparatively more difficult than tests in other grades because it contained a high proportion of the new and more difficult questions. Additionally, among the 335,000 students who took it, 25,000 faced additional field-test questions in social studies and science. Another 15,000 students were assigned to write persuasive, expository or narrative compositions. Under the education department's timetable, questions on social studies will be woven into the eighth-grade test in the spring of 1985, and questions on science in the spring of 1986. The schedule for inclusion of student writing samples is less certain. "Where we go from this, nobody knows at this point," says Dale Carlson, CAP director.

The eighth-grade test, while not the three hours in length that Honig wants, was longer than CAP tests in the third, sixth and 12th grades and overlapped two class periods. Because of the more difficult questions, Carlson expects the average statewide score for the new test will be lower than those for the sixth grade tests, even though the latter were revised in 1982 and made "a little harder." The test results are expected to be announced in September.

Testing levels

Honig finds the eighth-grade test "very challenging . . . rigorous. It's a strong test, and it's reflective of what we feel we should be teaching. We'll have the 10th-grade test in a couple of years. It will be rigorous, too, and then you'll see some progress."

Anthony Trujillo, superintendent of the Tamalpais Union High School District in Marin County and a member

of Honig's advisory committee, says the panel wanted the new test to be harder to see just how high some students can go. "We think we've been covering the lower ranges, but many of our kids top out on these tests," he says. "We needed tough questions to see how high our range is."

But Jacquelynne Caplan, curriculum director of the Sacramento City Unified School District, feels that the eighth-grade test "may be at too high a level, an unrealistic level, for the urban district." It is her belief the new testing will replace minimum proficiency testing in the eighth grade and will "change the entire orientation" of the curriculum. However, Caplan strongly endorses the program and believes that it eventually will bring necessary improvements to the schools.

Alexander I. Law, manager of the planning, evaluation and research division in the State Department of Education, says the department does not plan to report eighth-grade scores on the science and social studies tests by school or by district for the next few years. Only statewide results will be available. This is designed to give all school districts time to redesign their curricula.

So far, Honig has not encountered charges that he is undermining local control. "Three things came together," he says. "Test publishers, districts and the (education) department are all working in the same direction. Everybody is talking about the same possibility. . . . The department has always had curriculum people working on CAP tests, but they were organized and run by the department. This we're doing jointly."

Superintendent Eugene Tucker of the ABC Unified School District in Los Angeles County, who heads Honig's advisory committee, says the panel wants the curriculum to drive the tests, not vice versa. In the two major subjects of reading and math, there is 85-90 percent agreement on what the appropriate content of the curriculum is, Tucker says. "School districts are more alike than different in these content areas. What we come up with is not going to substantively change the direction of math in California . . . and the same is true with reading. There may be modest changes. In areas like social sciences, there may be less agreement, but I don't see us as being in a revolutionary kind of process."

But Superintendent Trujillo has a different view. He says that state tests affect the curriculum and as evidence

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Sample test questions

The state achievement tests, administered to 335,000 eighth graders last spring were the first to contain a large number of relatively difficult questions — questions whose solutions require what state researchers call “higher-order thinking skills.” Eventually, all state achievement tests will be similarly composed.

Previous state tests, administered in the third, sixth and 12th grades, also contained “higher-order” questions, but there were relatively few, about 10 percent of the total. The eighth grade test had 1263 questions, about one-third each in math, reading and written expression. According to state officials, the sections contained 20 to 30 percent “higher-order” questions.

Below are examples from the eighth grade test of both “higher-order” and less-difficult questions.

Eighth grade reading skills test:

Less-difficult question:

In the word “motionless,” the “less” makes the word mean

- a. full of motion
- b. without motion
- c. making one motion
- d. repeating a motion

(correct answer is “b”)

Higher-order question:

During the wars, a soldier looked after his horse with the greatest of care. He gave it the best oats to eat and the clearest water to drink. He rubbed it down when it got wet and covered it with a warm blanket on cold winter nights. As a result, the horse was strong and swift and carried its master safely out of the dangers of war.

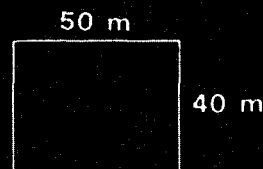
In the paragraph above, the mood is one of

- a. nervousness
- b. surprise
- c. contentment
- d. frustration

(correct answer is “a”)

Eighth grade math skills test:

Less-difficult question:

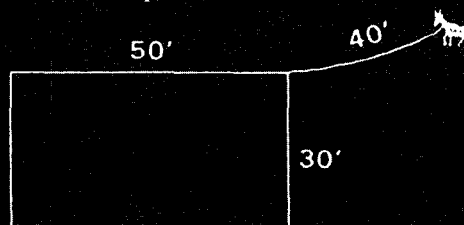


$$\text{Area} = \text{length} \times \text{width}$$

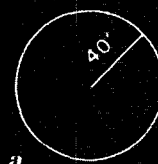
What is the area of a rectangle that is 50 meters by 40 meters?

- a. 2000 square meters
 - b. 200 square meters
 - c. 180 square meters
 - d. 90 square meters
- (correct answer is “a”)

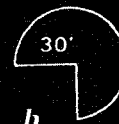
Higher-order question:



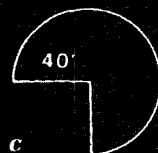
In the figure above, a goat is tied to the corner of a barn by a 40' tether. Which of the following shows the region in which the goat can walk?



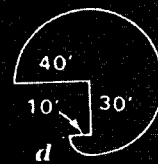
a



b



c



d

(correct answer is “d”)

cites the minimum proficiency test linked to high school graduation, authorized in a 1976 bill carried by then-Democratic Assemblyman and now-Senator Gary Hart of Santa Barbara. "The fastest change in my 27 years in curriculum came as a result of the Hart act," Trujillo says. "I'd been fighting and struggling to change the curriculum, and we were getting nowhere. Within a year, we had the curriculum in place for those lower-achieving youngsters." Trujillo says there is "no question in my mind that we're going to have more state control of curriculum. . . . I think it's a natural reaction to the proliferation that occurred in the 1960s and 1970s, and the shift from calculus to mathematical games. There was no cohesion in the curriculum."

Law, the education department official, says there may be more potential for state influence over the curriculum in the second part of Honig's test revision program: the voluntary testing of high school students in academic subjects (the Golden State Examination Program).

Under the program, a special honors designation would go to high school students who volunteered to take one or more of the tests and got passing scores. For districts that chose to participate, a task force working under Honig had recommended tests in English literature and composition, algebra, geometry, math analysis, biology, chemistry, earth science, physics, French, German, Spanish, world history, global studies, American history and American political systems.

Democratic Assemblywoman Teresa Hughes of Los Angeles, co-author of the reform law, is a product of New York schools where the Regents' Examination is given. This exam, says Hughes, "has kept the curriculum up to par and competitive (in New York State). It has kept students very conscious of standards."

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But New York has a strong tradition of central control over curriculum. In California, by contrast, local school districts had set their own high school graduation requirements for 14 years until SB813 reimposed minimum statewide requirements.

However, these ambitious plans suffered what appears to be a temporary setback in June when Governor Deukmejian eliminated from the 1984-85 state budget an \$800,000 augmentation allowing full expansion of the Golden State Program. Noting that the reform bill carried funds to launch testing in two subjects, the governor said that these tests should be developed before program expansion is considered.

Thus, it appears that timing was uppermost in the governor's mind and that the Golden State program eventually will expand, encouraging the state curriculum influence that Law says is likely to result. Essentially, Law points out that the Golden State tests will be much more precise in their aim than the CAP tests.

"If there's going to be a lever on the secondary schools, it's going to be the Golden State. . . . If you're testing in trigonometry, people in the schools are going to pay attention to trigonometry. If you're testing in calculus, there's going to be a focus on calculus. Literature is quite different from reading. Physics and chemistry are not going to be covered on CAP tests. You'd have a more precise lever on the curriculum."

In general, Law tends to reject the argument that state tests should not "drive" the curriculum. "There's nothing inherently evil about tests influencing curriculum," he says. "We're not testing something that's outrageous or arcane. We're testing things that the most knowledgeable people say kids should know at various grade levels." 



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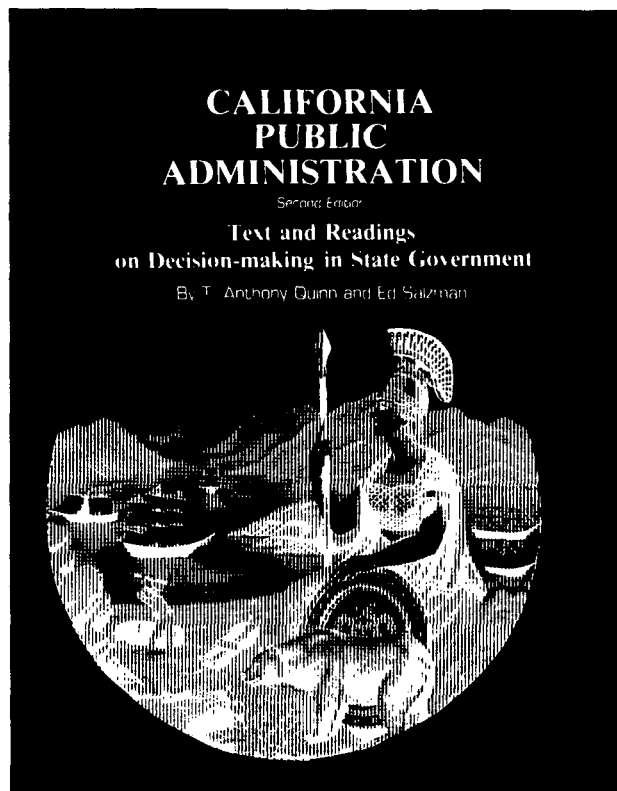
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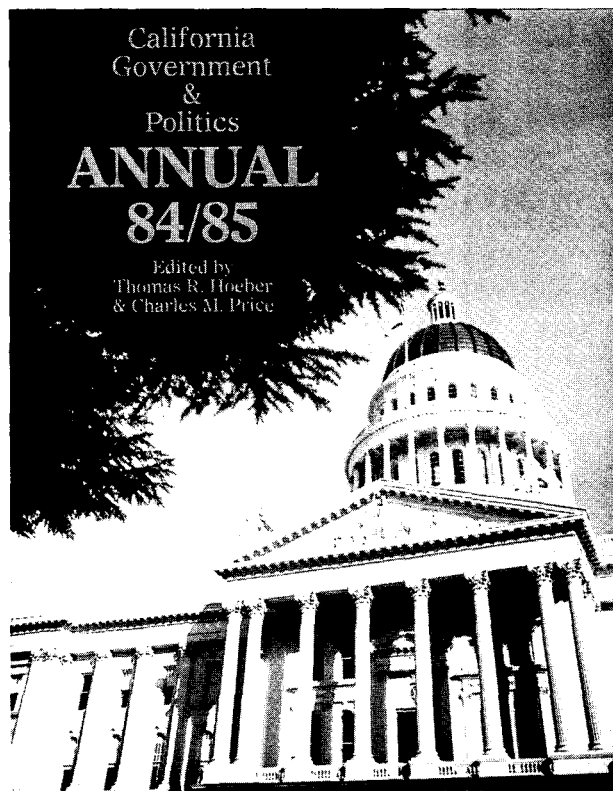
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Copies of both books may be ordered now from the **California Journal Press, 1714 Capitol Ave., Sacramento 95814**. Postage and handling are free on prepaid, Visa or MasterCard orders only.

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The late Jack Veneman: compassionate and hard-working

Editor's note: Jack Veneman, former assemblyman, federal official and lobbyist, died Easter Sunday 1982. Below, former reporter Jack S. McDowell, now of the campaign firm Woodward & McDowell, reminisces about Veneman and tells what Veneman's friends are doing to keep his memory alive.

I had punched the last of my overnight copy on one of the world's noisiest Teletype machines in the old Capitol's press section and plodded across the street to the then-Hotel El Mirador. I settled in at the lower bar for what I deemed a sufficiently-earned relaxant. Soon a tall, familiar figure effortlessly made his way through the darkness, as he had on numerous occasions, and eased onto the barstool beside me. "Hi, Jackson," he said. "How goes it?"

Jack Veneman came to the Capitol frequently in those days — more frequently, I suspect, than even the good works of a very conscientious president of the Stanislaus County Board of Supervisors would require.

It was no secret that Jack wanted a seat in the State Senate, and — as he always did in matters of importance to him — was scouting the territory, doing his homework — even to the point of chit-chatting with a tired reporter at the El Mirador bar.

But the opportunity for a Senate seat never presented itself and so Jack — in 1962 at age 37 — wound up in the Assembly instead. Unfortunately for him, Assembly Speaker Jesse Unruh thought that the seat should have gone to a Democrat and did all he could to prevent this peach grower from solidifying his political base. How better to cow a freshman Republican than by making him the seatmate of the late Phil Burton, the domineering, abrasive liberal from San Francisco? And how better to keep his name out of the papers than by not appointing him to any committees during his first year?

But like everyone else who ever got to know Jack, Unruh would change his mind. For Jack was not only an intelligent man but a compassionate and hard-working one besides. Within a few



years, Unruh would leap-frog Veneman over other assemblymen to make him chairman of the vital Revenue and Taxation Committee.

Jack also established for himself a respected political independence. During one particularly heated debate on the Assembly floor, Speaker Unruh ordered a 30 minute recess so the parties could caucus. "The Democrats will convene in the Assembly Lounge. The Republicans will convene in the Assembly coffee shop. And Mr. Veneman will convene in a telephone booth," he said.

Jack Veneman not only established his independence, but he let there be no doubt about his loyalties. They were tested. In 1968 the Democrats lost the Assembly majority. Outgoing Speaker Unruh went to Veneman. "I told him I could deliver the Democrat votes that would make him speaker," Unruh later recalled. "Jack said: 'Thanks — but no. Bob Monagan (the Republican floor leader) is my friend!'" Monagan became the new speaker of the Assembly.

Jack Veneman became an insider in Sacramento — and he loved it. Like the night before the filing deadline for the 1966 elections, he and other "young Turks" put together a last-minute state controller candidacy for fellow-Assemblyman Houston Flournoy — who went on to turn incumbent Alan Cranston out

of office. (Cranston later thanked them, saying it was his biggest nudge toward the seat he holds now in the United States Senate.)

When he went to Washington as undersecretary of the gigantic Health, Education and Welfare (HEW) agency, the locale changed; Jack Veneman didn't. For example, in the pomp of a Joint Session of Congress, Jack Veneman and his old friend Dick Lyng of Modesto were in line together as acting secretaries of their agencies for the formal welcome of a visiting head of state. Veneman leaned forward and whispered in Lyng's ear: "Not too bad for a couple of kids from Modesto, huh?"

His fierce loyalties stayed with him, too. In one of the numerous backroom brawls of the Nixon administration, those with mouths closest to the president's ear were demanding the discharge of Leon Panetta from his position in charge of HEW's civil-rights section. Panetta, then a Republican and now a Democratic congressman from Carmel Valley, had been hired by Veneman. Veneman would not stand for his firing. He offered his own resignation. He and Lew Butler, a close associate, stayed away from their offices until HEW Secretary Bob Finch was able to get Nixon to reverse Panetta's termination order.

Ability. Loyalty. Independent thinking and independent action. And fun — so much fun to be around. That's why so many people in the two most important capitals of the western world so sorely miss Jack Veneman and have decided to do something about it.

Because Jack often helped train young people in the Coro Foundation program, his friends are hoping to raise \$200,000 in his memory to endow two Coro Foundation fellowships per year — one in Northern and one in Southern California.

The first fund-raising reception will be held August 28th at the Sutter Club in Sacramento. Tickets are \$100 each. Similar events are planned for Modesto and Washington. For further information call Richard Butrick at (916) 441-4011.



Reports of war are greatly exaggerated

By DAN WALTERS

One could scarcely imagine two politicians more dissimilar in philosophy, personality and lifestyle than Jerry Brown and George Deukmejian. Thus, when Republican Deukmejian replaced Democrat Brown as governor, it was a traumatic adjustment for everyone in the Capitol.

In some ways, the most dramatic change was in the relationship between the "corner office," as the governor's suite is known among political insiders, and the Capitol's press corps (see "Duke and the Press," *CJ*, July 1983). The six dozen men and women who cover the Capitol for newspapers, wire services and broadcast outlets had been conditioned by 16 years of flash-and-dash (Ronald Reagan's "flash"; Brown's "dash"). Suddenly, reporters had to deal with a new governor who was — and is — relatively unexciting, businesslike in his official life and a bit thin-skinned about how he is portrayed by the press.

That natural prickliness, coupled with a desire among Deukmejian's political advisers to build a positive media image, produced a rash of confrontations with specific reporters over specific stories. The clashes found their way into print — with Deukmejian press secretary Larry Thomas often portrayed as the heavy — and a certain myth developed that the governor's office and the Capitol press corps were engaged in a war.

"Press Corps Battles With Duke's Aide," *The Sacramento Bee* headlined in April. The story that followed described the Capitol as "a battlefield for a different kind of word war — pitting members of the Capitol press corps against the chief spokesman for Governor Deukmejian."

But what emerges from conversations with reporters and administration officials is not so much a war as an ordinary adversarial relationship in which the administration tries to put its best foot forward and reporters try to ferret out stories that may or may not reflect well upon the administration. What's different about the Deukmejian approach to the press is that he and his aides are willing to complain to reporters — and occasionally to reporters' bosses — when they believe the administration has been treated unfairly. That's a bit unusual for the California Capitol but is the norm in Washington and in other state capitals where relations between reporters and officialdom historically have been more adversarial.

Thomas said in an interview that much of the war talk arises from within the media itself. "I think that as a general rule, the media and individuals within the media are terribly sensitive. If I was as thin-skinned as the people who cover me and cover the governor, I think there would be war daily."

The governor himself is not above the fray. During a news conference last May he was asked whether he thought

he had been treated fairly by the press. He said he was generally pleased, but "sometimes you get the feeling . . . that the efforts are generally aimed toward some kind of negative story rather than greater emphasis on the essence of a proposal and trying to explain that fully to the public."

Several weeks later, during a private interview, the governor elaborated. "So many times you get questions at a press conference that are not questions that are designed to inform on the merits of an issue but are designed to get you to say something controversial. You get a feeling that the reporter hasn't got anything to write about unless he can develop a controversy."

What he is confronting is the essence of the adversarial relationship. Political reporters see their job as challenging those whom they cover and they are well aware that controversy and conflict are more interesting than harmony. "My role is to solve problems and conduct public service," says Deukmejian. That, unfortunately for him, is not very newsworthy.

An administration official who has watched the Deukmejian-press relationship develop puts it this way: "George Deukmejian is very proud of what he has accomplished in life generally and as governor. He thinks he has succeeded against great odds and he thinks the press coverage ought to reflect that. He's also a private man. He's not going to sit at the bar and drink beer with reporters like Jerry Brown did."

Deukmejian's more reserved, formal — normal, perhaps — personality was reflected in the organization of his administration. On a superficial level, the new governor was fairly well acquainted with most reporters after many years as a state legislator and as attorney general. It was almost universally a cordial relationship. But clearly, Deukmejian as governor wanted to formalize and regularize his press relations — along with everything else in his administration. The choice of Thomas, a one-time wire service and newspaper reporter who most recently had been a public-relations executive for Bechtel Corporation (a large, privately held and somewhat secretive construction company), thus reflected Deukmejian's media intentions. So did the placement of two political advertising and image experts — Sal Russo and Doug Watts — in high advisory positions.

Russo and Watts, campaign consultants who operated Deukmejian's race for governor in its closing days, were largely responsible for shaping the new administration's media efforts. They were interested in matters far beyond relations with the Capitol press corps, such as a statewide image for Deukmejian that would buttress his efforts to govern while surrounded by hostile forces in the Legislature, bureaucracy and private pressure groups.

A reduced role

But that image-building would not depend solely on the reporters who covered Deukmejian, and that had the effect of reducing the importance of the Capitol press in the over-



THOMAS



all scheme of things. Under the highly centralized and sophisticated Deukmejian media operation, press coverage — to the extent it could be managed — would be part of an overall administration strategy to succeed, and the press office would become an integral part of the operation. "This administration speaks with one voice," as one official put it.

In some ways, the new way of doing things has been helpful to reporters. For instance, Jerry Brown's administration policy was whatever the governor said it was that day. And with administration officials often publicly feuding or disagreeing on policy, it was sometimes impossible for reporters to determine what the official attitude was toward any particular issue.

Under Deukmejian, there has been less personal contact between reporters and the governor, but in this case, less may be more. Thomas, deputy press secretary Bob Taylor (a former *Sacramento Union* Capitol reporter) and others in the press office respond readily to requests for statements of position. There is less need to see Deukmejian personally because his spokespersons are more tuned into what is happening within the administration — a fact even critics of administration press relations acknowledge. Nor have there been complaints about the press office's willingness to set up interviews with administration officials and perform other ministerial chores.

Reporters have even won some of the battles, as well. Early in the administration, for example, Deukmejian had a groundbreaking meeting with his cabinet and Thomas emerged to give reporters a briefing. White House press secretaries had done that for years. But Sacramento reporters didn't like it, even though none took issue with the accuracy of Thomas' version of what had occurred. The reporters did not like being denied personal access to the parties involved. That was the first and last such briefing, and since then, reporters have personally interviewed participants in gubernatorial meetings, when they could find them.

And when there were complaints early this year about a lack of formal press conferences, they were quickly reinstituted on a roughly once-every-three-weeks basis. In addition, Deukmejian often talks with reporters after speeches and other public appearances — although not as frequently as did Jerry Brown.

Deukmejian seems to handle himself pretty well in his reporter contacts. He's briefed extensively on likely issues before formal news conferences and appears to have relaxed after nearly one-and-one-half years on the job — often showing up at news conferences with coffee cup in hand and trading quips with reporters.

The enduring complaints about Deukmejian's relations with reporters revolve around a few clashes on specific stories.

One major incident occurred late last year and involved Dan Meyers, a Capitol correspondent for the *San Jose Mercury-News*. Meyers had, along with dozens of other reporters, requested a one-on-one interview with Deukmejian to discuss his first legislative session, which had been marked by sharp confrontation between the new governor and Democratic legislators. He was told — and there's no dispute on this point — that Deukmejian was not granting any such interviews at that time because of a lack of time to accommodate all the requests. Only representatives of the two wire services and one television reporter had been granted brief personal interviews during the first months of the administration.

Meyers then wrote an analysis of Deukmejian's first legislative session, contending that the governor had failed to deliver on many of his promises and programs because of sour relations with Democratic legislative leaders. The article was not received well in the governor's suite. Thomas invited Meyers to what turned out to be a three-hour-long lunch during which Thomas outlined his objections to the article. Meyers does not criticize Thomas for stating his exceptions, and Thomas says that is part of his job.

What happened later, however, created the clash.

While Meyers had been denied a personal interview, Deukmejian gave such a one-on-one to the *Peninsula Times-Herald*, a competing newspaper, during a trip to the San Jose area. It was widely believed in the small, gossip circle of reporters and politicians that the interview for a competing newspaper was a slap at Meyers and his article, an opinion that some administration officials have privately conceded — but not just because of Meyers' piece. Deukmejian was personally angered by a *Mercury-News* editorial cartoon that characterized him as "a lone Armenian terrorist." Although the newspaper ran an apology for the cartoon, it also reprinted it once in conjunction with another article.

Meyers and Thomas agree that a governor can grant interviews to whomever he wishes. But Thomas took it one step further by writing a letter to the *Mercury-News* listing his criticisms of Meyers' piece — an indication that Thomas is willing to go over the head of a reporter.

Kick and scream

Meyers never got an interview with Deukmejian but agrees with Thomas' contention that the incident has not resulted in any overt retaliation in terms of cooperation from the press office on other matters. "I think they have a right to kick and scream," he says. "I've had access to other administration officials. But they are not going out of their way to help me."

There have been other, lesser clashes with reporters over specific matters. For example, United Press International reporter Rebecca LaVally exchanged words with Thomas after she attempted unsuccessfully to contact Deukmejian's chief of staff, Steve Merksamer, over a report that Deukmejian had chosen a home in suburban Sacramento for himself and his family. Thomas was not complaining about LaVally's story but about the effort to contact Merksamer at home after receiving the official no-comment response.

Thomas says he was merely passing on Merksamer's de-

sire not to be called at home by reporters. LaVally contends that she was just doing her job. "In effect, he (Thomas) was telling me how to go about gathering the news," she says.

But LaVally added, "I did agree not to call Merksamer at home again unless there was a major emergency, mostly because it would be counterproductive to try."

Another reporter who had words with Thomas was Joe Quintana of the *Los Angeles Herald-Examiner*.

Quintana wrote a series of critical articles about Deukmejian's appointees, several of whom ran into trouble in the state Senate and were either rejected or withdrawn. The series was topped by a column that dealt with a scandal in the Office of Economic Opportunity and began: "Clumsy attempts to contain a burgeoning Office of Economic Opportunity scandal have poured more fuel on the fire of suspicion that a streak of racism runs through the core of the Deukmejian administration."

That earned Quintana a letter from Thomas who said the reporter's words "show an amazing lack of sensitivity and restraint (by) viciously accusing others of those same abhorrent deficiencies."

"On several occasions, which we have discussed, you have crossed the line of fair comment. . . In this case it wasn't even a close call. And frankly, we deeply resent it."

Quintana has referred to Thomas' complaints as "attempts to . . . blatantly manipulate the press." But he has not noticeably toned down his often harsh criticism of the administration in his regular *Herald-Examiner* column.

Several stories by *Sacramento Bee* reporter Claire Cooper about the administration resulted in a showdown between her, Capitol bureau chief Ed Salzman and Thomas. Cooper, who covered the administration during

its first months, was later removed from that beat, although Salzman says it was part of a normal rotation of duties involving other reporters.

Cooper had clashed with Deukmejian aides when he was attorney general, and administration officials have made little secret of their disdain for her reporting. Cooper insists that the administration disliked her for not going along with its version of events.

"They've come to feel comfortable with a certain type of reporter and I am not of that type," she said in an Associated Press article about Deukmejian-press relations, "one who reports what they say and not what they do and takes their word for it without checking it out."

Exercising rights

Thomas, meanwhile, insists that in complaining about articles written by Cooper, Quintana, Meyers and others, he is just exercising his own rights. "I like to feel I deal in the same currency as what is written or broadcast about George Deukmejian," Thomas says. "If I think somebody has misstated something . . . or has in fact mischaracterized something, I point it out. Some people take great offense at getting a telephone call suggesting their analysis is not right on the money."

Some of the more extreme critics of the administration contend that Thomas' activist approach to journalistic criticism smacks of efforts to manage the news or intimidate reporters.

But no reporter in the Capitol will allege that he has been intimidated. Nor is there any evidence that the coverage of Deukmejian has been softened — or even altered — by Thomas' complaints. And some reporters even wear their Thomas-initiated criticism as badges of honor.

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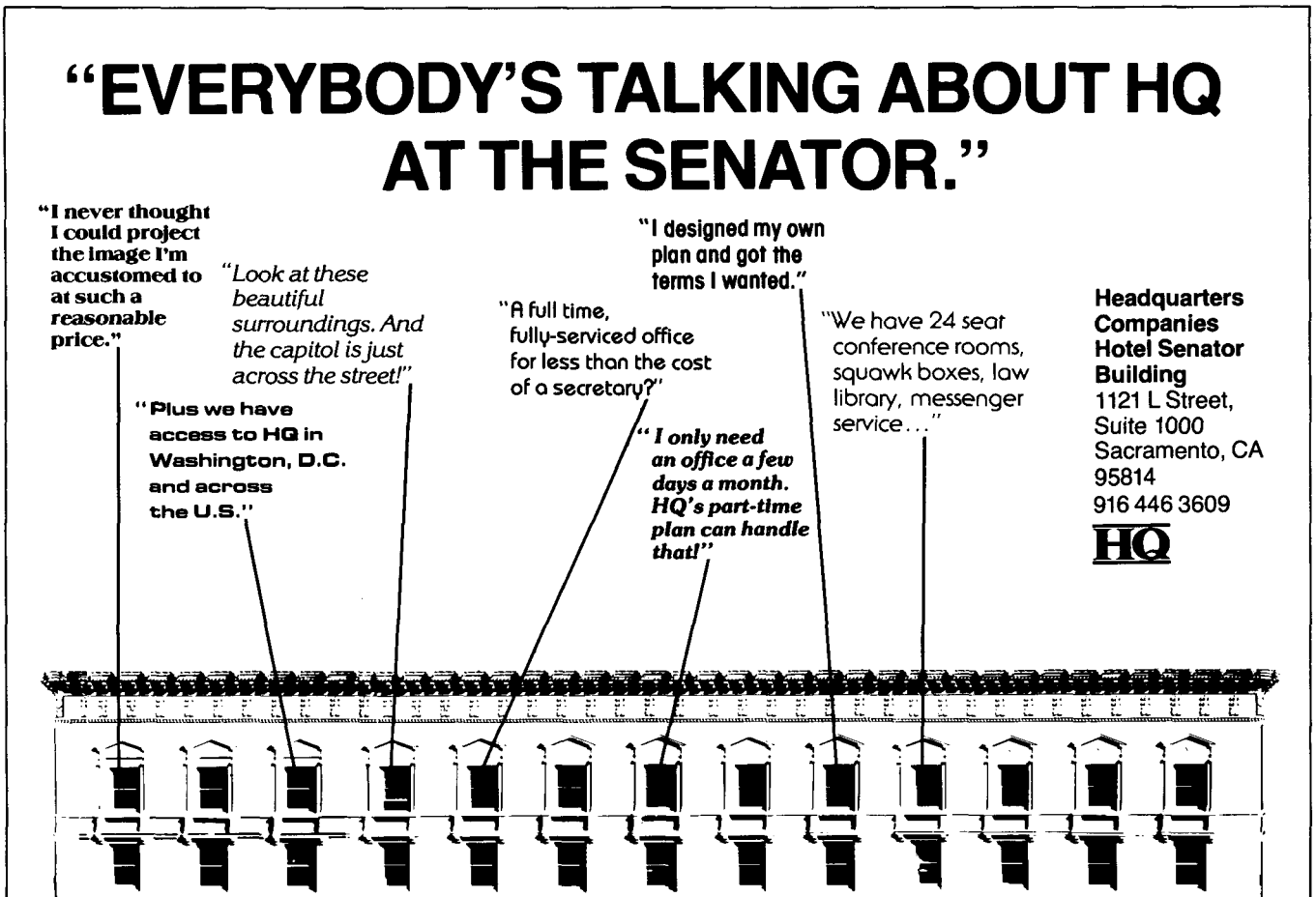
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A political animal with an eye on California

By ERIC BRAZIL

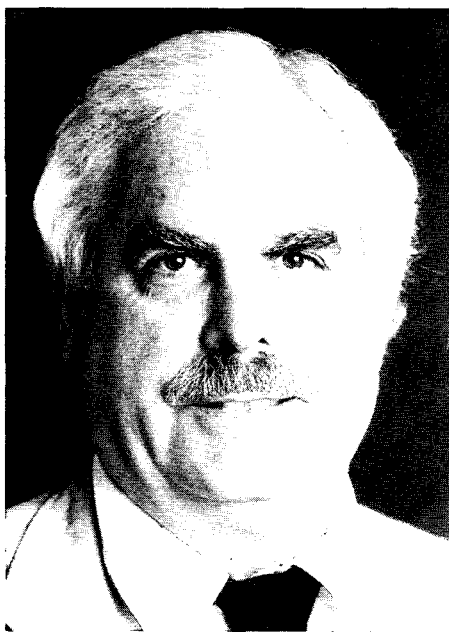
Fifty weeks a year, in mailboxes sprinkled across the nation, some 1000 political junkies — pros and amateurs — get their regular hit of inside politics from a pearl-grey, four-page newsletter whose title, "The Political Animal," fairly describes its author Joe Scott. And on alternate weeks, Scott's other, newer newsletter, "The California Eye," gives another 1000 a package of political tidbits concerning the Golden State.

Scott's newsletters, his twice weekly column "Body Politic" in the *Los Angeles Herald-Examiner* and frequent appearances as interviewer and pundit on Los Angeles television have made him a familiar feature on the California political landscape. A soft-spoken, almost deferential man, he has created his place out of a huge appetite for politics, workaholic habits, unflagging curiosity and a virtuoso's ability to work the telephone.

Basically, Scott's newsletters contain lots of names in short items, lots of information about who's doing what right now, and what it all may mean. Deliberately, there is no in-depth analysis of personalities or issues. Scott is the ubiquitous insider, a honeybee in the political flower garden, buzzing from White House to courthouse to convention floor while always working his sources.

"The Political Animal" — Scott, a Notre Dame graduate, took its title from Aristotle's book of politics — was launched in May 1973. "The California Eye" followed in 1980. Scott says the two newsletters are so different in content that "they're almost competing publications" and don't have much circulation overlap.

Scott sees his newsletters as "a sort of tip sheet from which, hopefully, everybody who reads them gets at least one or two items they haven't gotten anywhere else." Readers of the



June 15th "Political Animal," for example, were first to learn that Reagan administration strategists recognized arms control as an area of campaign vulnerability for the president — and that he was about to make a preemptive strike to defuse the issue. Two days earlier, "California Eye" subscribers were treated to the news that Republican Congressman Ed Zschau of Los Altos is thinking about challenging Senator Alan Cranston in 1986.

"I guess my main premise is that I think there are two political countries — one is the world controlled by Washington, and then there is another America, which is non-Washington. And the fact that this letter (the "Animal") has survived for 11 years suggests that you don't have to be in Washington to write about national policies," Scott says. "I think my sources in the White House and the Mondale campaign and the other campaigns are in many cases just as good. And I deal on the telephone."

Costs

The price for "The Political Animal" has risen from \$25 to \$150 for 50 issues a year since Scott started it. "The Cal-

ifornia Eye" is \$100 for 25 issues. Scott writes every word of both himself — a prodigious feat. Comparable publications, all emanating from the Washington, D.C. area, are the Germond-Witcover, Evans-Novak, Kevin Phillips and Allen Baron newsletters, and they publish just 25 or 26 issues a year at prices ranging from \$125 to \$150.

Curiously, Joseph Scott III is a reporter who's never been on a newspaper payroll as an employee, never written an obit, covered the police beat, a planning commission or a school board. He entered journalism through another door — public relations, of which he was a practitioner for more than 20 years. In fact some of Scott's journalistic colleagues scoff at him to this day as a purveyor of political gossip who's not quite, you know, a *real* reporter.

Scott — moustachioed, grey haired, avuncular — takes such criticism in stride. Folks who say things like that just haven't caught his columns lately, he says. "I frequently find myself way ahead of what's happening, but it doesn't 'happen,' you know, until a major source reports it happening."

The hard fact is that Scott's never going to be one of the press corps gang. "I really don't like the hurly burly of pack reporting. I don't respond well to it. The 'boys-and-girls-on-the-bus' thing doesn't work very well for me. (Pause:) But some of my best friends are journalists."

Among them is Mike Qualls, editor of City News Service in Los Angeles and a former political editor for the *Herald-Examiner*. "Joe never stops working. He eats, sleeps and drinks politics. When we worked together (1977-82) he amazed me with the 2 and 3 a.m. phone calls. The fact that he has such tremendous contacts in politics probably stems from the fact that he works all the time," Qualls says.

Although Scott insists that "I'm not terribly driven," how else can you describe a 54-year-old man who habitually rises at 5:30 a.m. to read eight daily papers and start checking his news trapline with telephone calls to East Coast pols, spends weekends watching political programs on TV,

Eric Brazil is Los Angeles bureau chief for USA Today and former Sacramento bureau chief for Gannett Newspapers.

nights and luncheons huddled with sources, hasn't taken a vacation or missed a column in 11 years and is working on two novels — one spy, one historical? "Politics is a full-time sport. It's not a seasonal sport," he says.

Like most good reporters, Scott knows more than he writes — in his case, a whole lot more. Because he's in it for the long term and not susceptible to ordinary newspaper deadline pressures, he can afford to let some of his inside information ripen. Critics say he takes such good care of his sources' feelings that he sometimes passes up the news. That accusation makes Scott bristle. "I *do* try to make news when I can," he says, reeling off a list of recent exclusives he's published. Besides, he says, while he's friendly with a lot of politicians, he doesn't list any among his personal friends. "I think it's a mistake for a journalist to get too close to politicians," he says.

A native son

Few Angelenos can pull native-son rank on Scott. His family sank roots in Los Angeles in 1850. His grandfather and namesake Joseph Scott — "Mr. Los Angeles" — whose clenched fist, larger-than-life bronze statue stands in front of the county courthouse, was a political powerhouse for half a cen-

tury. A Republican and a renowned orator, Joseph Scott made the presidential nominating speech in 1932. "I always tell people that was the wrong year to nominate Herbert Hoover," his grandson says today.

From his discharge from the Navy after World War II until he started publishing "The Political Animal," Scott made his living as a public relations man, running his own firm which represented clients such as *Life Magazine* and Mt. St. Mary's College. But ever since he was taken to watch a Franklin D. Roosevelt motorcade at the corner of Crenshaw and Washington boulevards in 1936, his heart has belonged to politics. Family connections put him next to high-level politicians from an early age. In 1958 he spent half an hour chatting one-on-one with then-Senator John F. Kennedy, who was to address the Friendly Sons of St. Patrick, of which Scott's father, retired Superior Court Judge A.A. Scott, was president.

By 1969 he was dividing his time between private clients and the unsuccessful first mayoral campaign of Tom Bradley, for whom he was deputy press secretary. In 1973, following a last fling at political flackery with the failed campaign of ex-Police Chief Tom Reddin (who also wanted to be mayor), Scott "changed the whole focus of my life. I literally stopped mak-

ing a living" and went into journalism full-time with his newsletter. His hunch that there was sufficient business out there to sustain a Southern California-based national political publication was validated. The rest is history.

"There were some people who signed notes when the letter started, but nobody gave me money. Those notes have been paid off. Nobody's bankrolling me privately — there may be a misperception out there. There are some limited partners, on both sides of the aisle, but none of them has ever got a cent out of it," he says.

Scott's inspiration for the form of his newsletter and the source of his optimism that it would succeed as a business venture was I.F. Stone, the Washington-based investigative reporter whose newsletters leaned toward analysis and opinion. But he acknowledges that he lacks Stone's ideological fire. "I've never wanted to be an ideologue. I always wanted to be an ideologue. I always wanted to be kind of lay back. Otherwise I'd have lost half my audience right off the bat. I'm proud that some people think I'm liberal and some think I'm conservative." For the record, Scott regards himself as a moderate Democrat.

"I like to think I'm still growing in this business. It's a high-wire act, but at least it's on my own. And it's lasted a lot of springtimes," he says. 🏠

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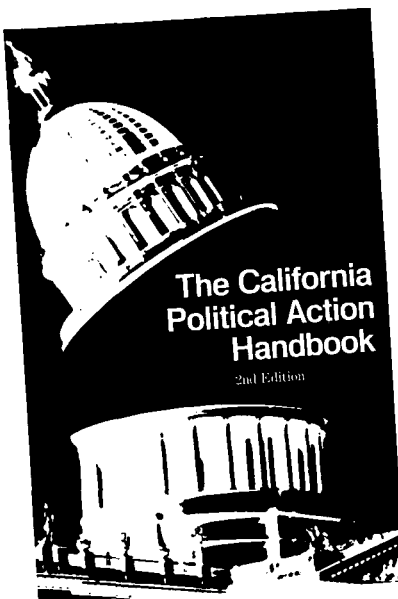
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Send all orders for **The California Political Action Handbook** to the California Journal Press, 1714 Capitol Ave., Sacramento 95814.



(A summary of events during the preceding 30 days.)

GROWERS SCORE VICTORY

(June 14th): The state Supreme Court ruled that California vegetable growers do not have to pay farm workers up to \$8 million in back pay. The Court, in upholding an April ruling by the 4th District Court of Appeal, agreed that growers did not bargain in bad faith during a 1979 strike. If they had, they would have triggered "make whole" provisions of the state's farm-labor law.

OSHA'S SONG

(June 15th): Governor George Deukmejian selected former state Senator and current ALRB member Al Song for a seat on the three-member Occupational Safety and Health Appeals Board. By moving Song to OSHA, the governor also freed up a seat at the ALRB which is still dominated by Jerry Brown appointees. Song's OSHA appointment ran into immediate trouble, however. The law requires that the seat go to a representative of organized labor, and state AFL-CIO chief Jack Henning charged that Song is no such thing. The battle will be fought in the state Senate, which must confirm Song in his new, \$51,552-a-year post.

THE LIZ AND BURT SHOW

(June 18th): Elizabeth Taylor and Burt Lancaster were the main attractions at a standing-room-only hearing of the Assembly Judiciary Committee. The duo came to Sacramento to tout a bill (SB613-Campbell) that would allow celebrities to bequeath the economic value of their names and likenesses. Taylor and Lancaster offered little testimony, although their appearance drew eight television crews — two more than covered the budget debate a week earlier. "We're always shills for something," Lancaster said following the hearing. An amended version of the bill passed the committee and will be voted by the full Assembly this month.

GOVERNOR SIGNS FIREWORKS BAN

(June 19th): A bill (SB2333-Roberti) to allow local governments to ban the sale of fireworks (including the so-called "safe-and-sane" variety) was signed by Governor Deukmejian. The measure reversed a February appellate court decision that had struck down the local bans and was a reversal of the Legislature's own action two years ago.

THE GANN INITIATIVE GOES TO COURT

(June 20th): The state Supreme Court refused to overturn the newly passed Gann initiative (Proposition 24). The suit — against Secretary of State March Fong Eu — was brought by the Democrat-dominated Legislature to prevent certification of the June 5th election result, in which voters approved the initiative 53 to 47 percent. The Court said it had no authority to prevent certification but left the

door open for future challenges. Democrats were criticized by Republicans for using public money to challenge the measure's constitutionality. The controversial initiative would cut the Legislature's budget by 30 percent, enhance the minority party's role in running the Legislature and reduce the power of the Assembly speaker. Democrats began the budget cuts but refused to make other changes.

MISUSE OF OEO FUNDS

(June 26th): A report released by the state auditor general's office said that an investigation had found "misuse" of public funds at the troubled Office of Economic Opportunity; that among other things, Gilbert Avila, a special assistant to Governor Deukmejian, and former OEO Director Gilbert Montano skirted normal contract procedures to award more than \$1 million in federal poverty grants to 25 local agencies that were ineligible to receive them — and to five other agencies that had not even applied for grants. The story originally broke last March in the *Oakland Tribune*, and last May the agency's deputy director, Herbert Clayton, was arrested and charged with diverting the bulk of a \$67,000 grant into his own bank account.

THE GOVERNOR SIGNS THE BUDGET

(June 27th): After making cuts totalling some \$780 million, Governor Deukmejian signed the state's \$31 billion 1984-85 budget. Among the items blue-penciled by the governor were \$77 million for "comparable worth" salary adjustments for female-dominated state jobs, \$37 million from the Legislature's operating budget to comply with the 30 percent cut mandated by passage of Proposition 24, \$108 million for special education of disabled children and \$3 million from the public defender's office. The governor noted that in many cases he vetoed monies added by the Legislature to programs he had already increased.

WAXMAN HEADS DEMO DELEGATION

(July 8th): Henry Waxman, the congressman from Los Angeles and a supporter of presidential hopeful Gary Hart, was named by party leaders to head California's 345-person delegation at the Democratic National Convention in San Francisco. Waxman replaced the man who had been elected chairman by fellow delegates on June 16th — attorney John Emerson, 30, an early Hart backer and a partner in the Los Angeles law firm of national party chairman Charles Manatt. According to various party officials, the switch was made because of Waxman's political experience and stature.

BOND MEASURES FOR NOVEMBER

(July 11th): Governor Deukmejian signed four bond bills worth nearly \$1.6 billion for the November 6th ballot. The governor had initially proposed a \$1 billion limit, but the Legislature — including Republicans — rebelled, forcing him to accept more than he wanted for Cal-Vet loans and school construction. At the signing ceremony, the governor restated his fear that voters might reject some or all of what has become the most expensive bond authorization since 1960 when voters approved \$1.75 billion for the State Water Project. The four are: \$450 million for construction and rehabilitation of elementary and high schools (scaled down from the \$650 million vetoed by the governor); \$650 million for the Cal-Vet program (scaled down from the \$850 million vetoed by the governor); \$100 million for cleanup of toxic-waste sites; and \$325 million for sewer projects. A \$50 million bond for construction of senior-citizen centers was still on the governor's desk.

A.G. Block



Rose Bird

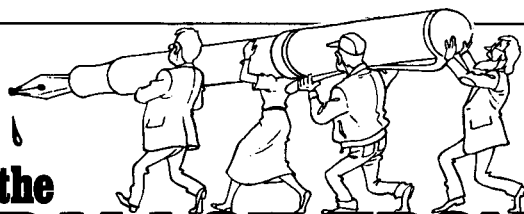
Judge Tenner's letter in your July issue reveals the lack of understanding by many of the judiciary of the problems Rose Bird has created for our judicial system. Her actions on first assuming office, in the face of an explosion of crime, have made her the symbol of what is wrong with our criminal justice system in the minds of a very large segment of our citizens.

It started with her surprise appointment by Jerry Brown and the failure of then-Attorney General Evelle Younger to stop her appointment in view of her complete lack of judicial experience. In the past the chief justice had always been someone with the respect of the legal profession. Instead Bird's rapid rise from assistant public defender, to state secretary of Agriculture, to chief justice of the Supreme Court reminds one of the Gilbert and Sullivan character whose political skills engineered his equally rapid rise from polisher of brass

doorknobs to Lord High Admiral of the Queen's Navy.

Then upon assuming office she apparently fell under the spell of the late Justice Tobriner, a liberal ex-law professor in the 1960's at UC Berkeley whose legal philosophy was best summed up by his article in the *State Bar Journal* entitled "Can Young Lawyers Reform Society Through the Courts." A question to which he enthusiastically answered "yes!" Rose Bird has adopted his judicial activism to implant her theories on our society, thereby usurping the role of our elected representatives. Apparently she is not aware of the results of her judicial activism, since about a year ago she was going around the state complaining that our group had no right to criticize the decisions of judges and accusing us of politicizing the courts. In reality it is Rose Bird who is guilty of politicizing our courts when she uses her office to assume the duties of the Legislature. And, the people have the right to fear and criticize a judicial dictatorship that resents and objects to their criticism. . .

ROBERT H. KRESS
Citizens for Law and Order



the BALLOT FRONT

A roundup of statewide initiative proposals. All statutes require 393,835 valid signatures; constitutional amendments require 630,136. The date in parentheses is the deadline for sponsors to submit signatures to county clerks. The Journal issue listed in parentheses contains a more complete explanation of each initiative.

Continuing in circulation:

- **THE RIGHT TO OWN, USE AND POSSESS FIREARMS** — Constitutional amendment (July 23rd — *CJ* April 1984)
- **COMMUNITY COLLEGE FUNDING** — Constitutional amendment (September 11th — *CJ* June 1984)
- **PERSONAL INCOME, BANK AND CORPORATION TAX LAWS** — statute (September 11th — *CJ* June 1984)
- **FEDERAL INITIATIVE PROCESS** — statute (September 17th, *CJ* June 1984)

Initiatives qualified for the November ballot:

- **ENGLISH-ONLY VOTING MATERIALS** — an initiative statute, sponsored by Stanley Diamond of San Francisco, that requires the governor to write the president urging that federal law be amended to specify that all voting materials be printed only in English.
- **LOTTERY: FUNDS FOR PUBLIC EDUCATION** — a Constitutional amendment, sponsored by Barry Fadem on behalf of Scientific Games, Inc., that establishes a state lottery; 34 percent of revenues must be used for public education.
- **REAPPORTIONMENT COMMISSION; REAPPORTIONMENT FOR 1986** — a Constitutional amendment, sponsored by Governor George Deukmejian, that takes reapportionment from the Legislature and gives it to a 10-member commission. The commission would reapportion for the 1986 elections.

- **LIMITS ON WELFARE AND PUBLIC ASSISTANCE PROGRAMS** — an initiative statute sponsored by GOP Assemblyman Ross Johnson that establishes a Public Assistance Commission and limits welfare expenditures in California to the national average, plus 10 percent.
- **CAMPAIGN CONTRIBUTION LIMITATIONS** — an initiative statute, also sponsored by Assemblyman Johnson, that limits an individual's contribution to \$1000 per candidate and \$250 per PAC or party; limits annual PAC contributions to \$1000 per candidate; and provides that public funds be given to candidates to match unlimited personal expenditures by opponents.

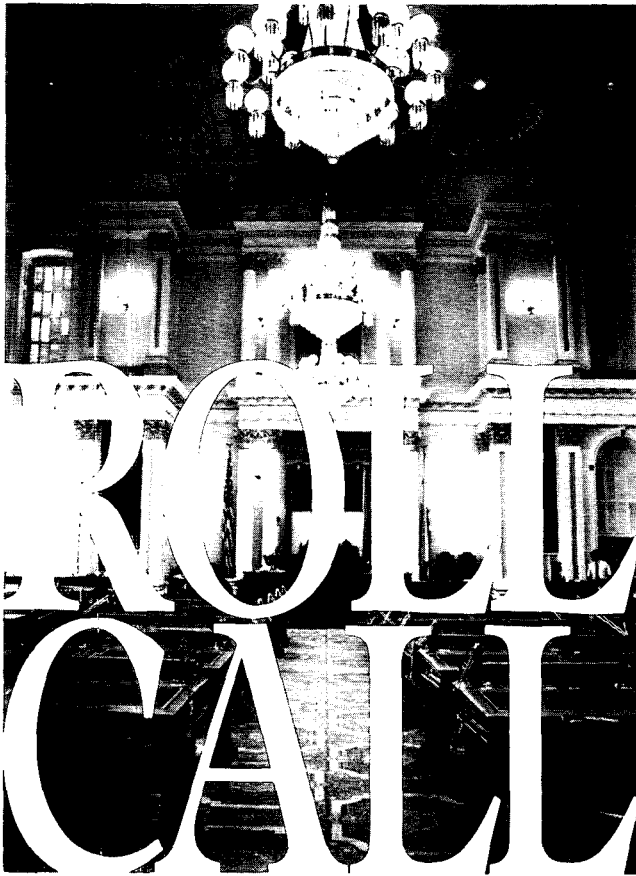
Previously qualified for November ballot:

- **BALANCED FEDERAL BUDGET** — an initiative statute, sponsored by the National Tax Limitation Committee, that requires the Legislature to send Congress a resolution calling for a constitutional amendment to balance the federal budget.
- **TAXATION** — an initiative Constitutional amendment, sponsored by Howard Jarvis, that amends Proposition 13 of 1978 to close loopholes Jarvis claims have been opened by the courts, and make other changes.

Failed to qualify:

- **LOTTERY: FUNDS FOR HOME LOANS** — an initiative Constitutional amendment, sponsored by Thomas Sullivan of Campbell, that would have established a state lottery with revenues loaned to qualified home buyers. This is different from the lottery initiative (revenues used to fund public education) that has already qualified for the November ballot.
- **AGRICULTURAL LABOR-RELATIONS ACT** — an initiative statute, sponsored by Senate Minority Leader Jim Nielsen of Woodland, that would have replaced the state's Agricultural Labor-Relations Act with an Agricultural Labor-Management Relations Act in order to conform state law with provisions of the National Labor-Relations Act.
- **OPEN PRIMARY** — an initiative statute that would have allowed voters to cast a primary election ballot for any candidate, regardless of party affiliation. The initiative was sponsored by, among others, San Mateo County Supervisor Arlen Gregorio, a Democratic candidate from the 11th state Senate District south of San Francisco.

Source: Secretary of State March Fong Eu.



A defeated bill often has more votes in favor than against. This occurs because all bills, on the floor and in committee, need at least an absolute majority to pass. Thus, a bill may receive a 40-28 vote in the 80-member Assembly yet be defeated because it failed to get the 41-vote majority. Urgency, appropriation and tax measures require a two-thirds majority on the floor, as do proposed Constitutional amendments and veto overrides. (54 votes in the Assembly; 27 in the Senate.)

ASSEMBLY

VETERANS' BONDS

AB 2611 (Johnson). Authorizes, upon voter approval, the sale of \$850 million in state bonds to finance farm and home loans for veterans. Supporters say more bonds are needed to continue the program. "The governor objected to the size of the issue and the total amount of bonded indebtedness to be submitted to voters in November. Attempted override of governor's veto failed July 28th, 50-6.

DEMOCRATS FOR: Agnos, Areias, Bates, Bronzan, Willie Brown, Calderon, Campbell, Chacon, Clute, Condit, Connelly, Cortese, Costa, Davis, Elder, Farr, Floyd, Goggin, Hannigan, Harris, Hauser, Hayden, Hughes, Johnston, Katz, Killea, Klehs, Margolin, McAlister, Molina, Moore, Moorhead, O'Connell, Papan, Peace, Robinson, Roos, Sher, Tanner, Tucker, Vasconcellos, Vicencia, Maxine Waters, Norman Waters, Young.

REPUBLICANS FOR: Allen, Felando, Filante, Rogers, Sebastiani.

DEMOCRATS AGAINST: None.

REPUBLICANS AGAINST: Bader, Baker, Mountjoy, Naylor, Stirling, Wyman.

SCHOOL BONDS

SB 311 (Leroy Greene). Provides for the submission to voters of a \$650 million bond issue to finance new school facilities. The

governor objected to the size of the bond issue and the total amount of bonded indebtedness to be submitted to voters in November. Attempted override of governor's veto failed June 28th, 47-16.

DEMOCRATS FOR: Agnos, Areias, Bates, Bronzan, Willie Brown, Calderon, Campbell, Chacon, Clute, Condit, Connelly, Cortese, Costa, Davis, Elder, Farr, Floyd, Goggin, Hannigan, Harris, Hauser, Hayden, Hughes, Johnston, Katz, Killea, Klehs, Margolin, McAlister, Molina, Moore, Moorhead, O'Connell, Papan, Peace, Robinson, Roos, Sher, Tanner, Tucker, Vasconcellos, Vicencia, Maxine Waters, Norman Waters, Young.

REPUBLICANS FOR: Filante, Rogers.

DEMOCRATS AGAINST: None.

REPUBLICANS AGAINST: Allen, Bader, Bradley, Dennis Brown, Frizzelle, Hill, Jones, Kelley, Konnyu, La Follette, Lewis, Mountjoy, Naylor, Sebastiani, Wright, Wyman.

TAX AMNESTY

AB 3230 (Hannigan). Creates a state tax-amnesty program to allow taxpayers to pay their back taxes without penalties. Supporters contended that such a program would help collect back taxes. Opponents argued that dropping penalties would not result in significant tax collections. Passed June 13th, 58-16.

DEMOCRATS FOR: Agnos, Alatorre, Areias, Bates, Bronzan, Willie Brown, Calderon, Campbell, Chacon, Clute, Condit, Connelly, Cortese, Costa, Davis, Elder, Farr, Goggin, Hannigan, Harris, Hauser, Hayden, Hughes, Isenberg, Johnston, Killea, Margolin, McAlister, Molina, Moore, Moorhead, O'Connell, Papan, Peace, Robinson, Roos, Sher, Tanner, Tucker, Vasconcellos, Vicencia, Maxine Waters, Norman Waters.

REPUBLICANS FOR: Bader, Bradley, Filante, Frazee, Frizzelle, Herger, Hill, Konnyu, Leonard, Mojonnier, Mountjoy, Naylor, Nolan, Statham, Stirling.

DEMOCRATS AGAINST: Katz.

REPUBLICANS AGAINST: Allen, Baker, Bergeson, Dennis Brown, Felando, Jones, Kelley, La Follette, Lancaster, Lewis, McClintock, Rogers, Sebastiani, Wright, Wyman.

COURT FUNDING

AB 3108 (Robinson). Enacts the Trial Court Funding Act that funds municipal and superior courts at the option of participating counties. Sponsors said that state funding of trial courts would eliminate disparities between counties in dispensing justice. Critics argued that a state takeover of court funding would cost the state \$180 million during the next fiscal year. Passed June 13th, 56-19.

DEMOCRATS FOR: Agnos, Alatorre, Areias, Bates, Bronzan, Willie Brown, Calderon, Campbell, Chacon, Condit, Cortese, Costa, Davis, Elder, Farr, Floyd, Goggin, Hannigan, Harris, Hauser, Hayden, Hughes, Isenberg, Johnston, Katz, Killea, Klehs, Margolin, McAlister, Molina, Moore, Moorhead, O'Connell, Papan, Robinson, Roos, Sher, Tanner, Tucker, Vasconcellos, Vicencia, Maxine Waters, Norman Waters.

REPUBLICANS FOR: Bader, Bergeson, Bradley, Felando, Filante, Johnson, Konnyu, McClintock, Mojonnier, Mountjoy, Statham, Stirling, Wright.

DEMOCRATS AGAINST: Bane, Clute.

REPUBLICANS AGAINST: Allen, Baker, Bergeson, Dennis Brown, Frizzelle, Herger, Hill, Jones, Kelley, La Follette, Leonard, Lewis, Naylor, Nolan, Rogers, Seastrand, Sebastiani, Wyman.

GANN INITIATIVE — LEGAL FEES

Motion by Assemblyman Naylor. Motion to prevent spending public funds by the Legislature for legal fees to challenge Proposition 24. Backers of the Gann initiative contended that taxpayers should not pay for a court challenge of the voter-approved measure. Opponents argued that such an expenditure of funds is a legitimate public purpose. Motion to table carried 40-32, June 7th. (A "yes" vote was in favor of defeating motion.)

DEMOCRATS FOR: Agnos, Alatorre, Areias, Bane, Bates, Bronzan, Willie Brown, Calderon, Campbell, Chacon, Clute, Condit, Connelly, Costa, Davis, Elder, Farr, Hannigan, Harris, Hauser, Hayden, Hughes, Isenberg, Johnston, Katz, Killea, Klehs, Margolin, McAlister, Molina, Moore, O'Connell, Papan, Peace, Roos, Sher, Tucker, Vasconcellos, Vicencia, Norman Waters.

REPUBLICANS FOR: None.

DEMOCRATS AGAINST: None.

REPUBLICANS AGAINST: Allen, Bader, Baker, Bergeson, Bradley, Dennis Brown, Felando, Filante, Frazee, Frizzelle, Herger,

Hill, Johnson, Jones, Kelley, Konnyu, La Follette, Lancaster, Leonard, Lewis, McClintock, Mojonnier, Mountjoy, Naylor, Nolan, Rogers, Seastrand, Sebastiani, Statham, Stirling, Wright, Wyman.

GANN INITIATIVE — RULES

Motion by Assemblyman Naylor. Motion to conform Assembly rules to changes in legislative procedures adopted by voters in Proposition 24. Sponsors argued that these changes should be implemented immediately, pursuant to the voters' mandate. Opponents contended that legal challenges must first be resolved. Motion to refer to the Assembly Rules Committee carried 42-32, June 7th. (A "yes" vote favored postponing action on Naylor's motion.)

DEMOCRATS FOR: Agnos, Alatorre, Areias, Bane, Bates, Bronzan, Willie Brown, Calderon, Campbell, Chacon, Clute, Condit, Connelly, Costa, Davis, Elder, Farr, Hannigan, Harris, Hauser, Hayden, Hughes, Isenberg, Johnston, Katz, Killea, Klehs, Margolin, McAlister, Molina, Moore, Moorhead, O'Connell, Papan, Peace, Roos, Sher, Tucker, Vasconcellos, Vicencia, Maxine Waters, Norman Waters.

REPUBLICANS FOR: None.

DEMOCRATS AGAINST: None.

REPUBLICANS AGAINST: Allen, Bader, Baker, Bergeson, Bradley, Dennis Brown, Felando, Filante, Frazee, Frizzelle, Herger, Hill, Johnson, Jones, Kelley, Konnyu, La Follette, Lancaster, Leonard, Lewis, McClintock, Mojonnier, Mountjoy, Naylor, Nolan, Rogers, Seastrand, Sebastiani, Statham, Stirling, Wright, Wyman.

VIDEO GAMES

AB 2763 (Hughes). Requires liquor stores to prohibit minors from using video games on the premises. Sponsors said that minors are being attracted to liquor stores by the presence of video games and while there, were buying liquor illegally. Critics contended that the bill was an unnecessary infringement on the rights of store owners. Passed June 11th, 41-30.

DEMOCRATS FOR: Agnos, Areias, Bane, Bates, Bronzan, Willie Brown, Cortese, Costa, Davis, Elder, Farr, Goggin, Hannigan, Harris, Hughes, Johnston, Katz, Killea, Klehs, Margolin, McAlister, Molina, Moore, Moorhead, O'Connell, Papan, Robinson, Roos, Tanner, Tucker, Vicencia, Norman Waters.

REPUBLICANS FOR: Bergeson, Felando, Frazee, Herger, Johnson, Konnyu, Mojonnier, Sebastiani, Stirling.

DEMOCRATS AGAINST: Alatorre, Campbell, Clute, Condit, Connelly, Floyd, Hauser, Peace, Sher, Vasconcellos.

REPUBLICANS AGAINST: Allen, Bader, Baker, Dennis Brown, Filante, Frizzelle, Jones, Kelley, La Follette, Lancaster, Leonard, Lewis, McClintock, Mountjoy, Naylor, Nolan, Rogers, Statham, Wright, Wyman.

SENATE

WATER FACILITIES

SB 1369 (Ayala). The governor's water plan. Authorizes state to expand facilities for the transfer of additional water supplies across the Sacramento-San Joaquin Delta to Southern California. Supporters said the proposal represented the best negotiated compromise on the controversial water plan. Opponents criticized the refusal of water interests to accept reasonable environmental controls. Passed June 28th, 26-14.

DEMOCRATS FOR: Ayala, Carpenter, Deddeh, Dills, Bill Greene, Montoya, Presley, Robbins, Roberti, Rosenthal, Stiern, Torres, Vuich, Watson.

REPUBLICANS FOR: Beverly, Campbell, Craven, Davis, Ellis, Maddy, Nielsen, Richardson, Royce, Russell, Seymour, Speraw.

DEMOCRATS AGAINST: Alquist, Boatwright, Foran, Garamendi, Leroy Greene, Hart, Keene, Lockyer, McCorquodale, Mello, Petris.

REPUBLICANS AGAINST: Doolittle, Johnson (Ind.), Marks.

SCHOOL BONDS

SB 311 (Leroy Greene). Provides for the submission to voters of a \$650 million bond issue to finance the construction of new school facilities. Governor's veto overridden June 28th, 29-6.

DEMOCRATS FOR: Alquist, Ayala, Boatwright, Carpenter, Ded-

deh, Dills, Foran, Garamendi, Bill Greene, Leroy Greene, Hart, Keene, Lockyer, McCorquodale, Mello, Montoya, Petris, Presley, Robbins, Roberti, Rosenthal, Stiern, Torres, Vuich, Watson.

REPUBLICANS FOR: Craven, Davis, Johnson (Ind.), Marks.

DEMOCRATS AGAINST: None.

REPUBLICANS AGAINST: Doolittle, Ellis, Maddy, Richardson, Russell, Speraw.

ACTORS AND ACTRESSES

SB 1976 (Roberti). Prohibits Hollywood studios from using discriminatory rating surveys in the hiring of actors and actresses. Supporters cited numerous examples of discrimination in the awarding of movie roles, especially against women, minorities and older actors and actresses. Opponents argued that studios must award roles on the basis of projected box office draws. Passed June 14th, 21-9.

DEMOCRATS FOR: Ayala, Boatwright, Carpenter, Deddeh, Bill Greene, Leroy Greene, Hart, Keene, McCorquodale, Petris, Roberti, Rosenthal, Torres, Vuich, Watson.

REPUBLICANS FOR: Campbell, Craven, Davis, Maddy, Royce, Russell.

DEMOCRATS AGAINST: Foran, Mello, Presley.

REPUBLICANS AGAINST: Doolittle, Ellis, Nielsen, Richardson, Seymour, Speraw.

PAY EQUITY

SB 1701 (Roberti). Creates a state Commission on Pay Equity to analyze disparities in salaries and job classifications based on the comparable value of work performed. Supporters cited the need to implement a single, bias-free, salary-setting system based on the concept of "comparable worth." Opponents rejected "comparable worth." Passed June 15th, 28-8.

DEMOCRATS FOR: Alquist, Ayala, Boatwright, Carpenter, Deddeh, Dills, Garamendi, Bill Greene, Leroy Greene, Hart, Keene, Lockyer, McCorquodale, Mello, Montoya, Petris, Robbins, Roberti, Rosenthal, Stiern, Vuich, Watson.

REPUBLICANS FOR: Beverly, Craven, Davis, Johnson (Ind.), Marks, Nielsen.

DEMOCRATS AGAINST: Presley.

REPUBLICANS AGAINST: Doolittle, Ellis, Maddy, Royce, Russell, Seymour, Speraw.

SICK LEAVE

SB 2261 (Marks). Requires employers who provide sick leave to permit an employee to use up to five days of sick leave per year to care for a sick child. Sponsors believed employers should allow employees to use sick leave to care for their sick children. Employers argued against this use of sick leave. Failed June 14th, 18-13.

DEMOCRATS FOR: Alquist, Boatwright, Carpenter, Deddeh, Dills, Leroy Greene, Hart, Lockyer, McCorquodale, Petris, Roberti, Torres, Vuich, Watson.

REPUBLICANS FOR: Davis, Ellis, Marks, Nielsen.

DEMOCRATS AGAINST: Foran, Garamendi, Mello, Presley, Stiern.

REPUBLICANS AGAINST: Craven, Doolittle, Johnson (Ind.), Maddy, Richardson, Russell, Seymour, Speraw.

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Perspective from WASHINGTON

By Lou Cannon

The once and future Reagan

A long, long time ago, when Ronald Reagan was governor of California, those of us who saw him up close and marveled that he had ever been elected to anything poked fun at his supposed ignorance and debated about how long it would take the voters to catch up with him. Seventeen years later, as Reagan nears the end of his first term in the White House, we are still waiting.

SMALL WONDER THAT THE SOVIETS, after three leaders and as many years of Reagan, appear not to know what to make of the American president. Nineteen years ago this summer the dedicated kamikaze pilots of then-Governor Edmund G. (Pat) Brown were conspiring to nominate Reagan by leaking discredited stories about his principal rival, San Francisco Mayor George Christopher, to columnist Drew Pearson. Reagan won, as they wished, and defeated Brown by a million votes.

Four years ago last winter I attended a small dinner in Des Moines where President Carter's gurus were lamenting what they believed to be the inevitability of George Bush. They were as certain as Brown's strategists had been that Reagan would prove an easy mark but were worried that the Republicans would not be stupid enough to nominate him. You know the outcome of that one.

The Democrats have had plenty of help from the press in underestimating Reagan. Though Jody Powell seemed unaware of it, those of us on the Reagan campaign plane in 1980 prided ourselves on reporting Reagan's statistical malfunctions and recording his knowledge gaps. Between stories, and sometimes in them, we parodied Reagan's rest habits, thinly obscured by a schedule in which daily naps appeared as "staff time." My contribution was to suggest that "Bedtime for Bonzo," that unmemorable movie in which Reagan is upstaged by a chimpanzee, had been re-issued as "Staff Time for Bonzo."

This year we write new variations on old themes. While Reagan soars in public-opinion surveys, his opponents describe him as a menace or the "amiable dunce" he once was labeled by Averell Harriman. Few heed the counsel of Democratic Senator Ernest F. Hollings of South Carolina, who wrote recently: "We must disenthral ourselves from the idea that President Reagan is amnesic, insincere and ineffective. President Reagan is intentional, sincere and effective. During the '30s and '40s, the Republican Party veritably dissolved by attacking Franklin Roosevelt's personality. Now the Democratic Party is mimicking that mistake by charging that Ronald Reagan is out of touch with reality."

To be sure, Reagan has not yet been reelected. Some thoughtful Democrats, Hollings among them, think that Reagan can be beaten if the opposition acknowledges his character and focuses on the issues. But in Washington, where conventional wisdom can exert the force of gravity, Reagan's second term has been assumed into evidence. The corollary of this assumption is that Reagan will become a raving ideologue once he is beyond reach of the electorate and will march the nation toward international confrontation and domestic discord.

Put politely, this seems hogwash to me. It suggests that

Reagan's adversaries have remembered everything and learned nothing about their nemesis, who has been successfully blending ideology and pragmatism since he first became governor in 1967.

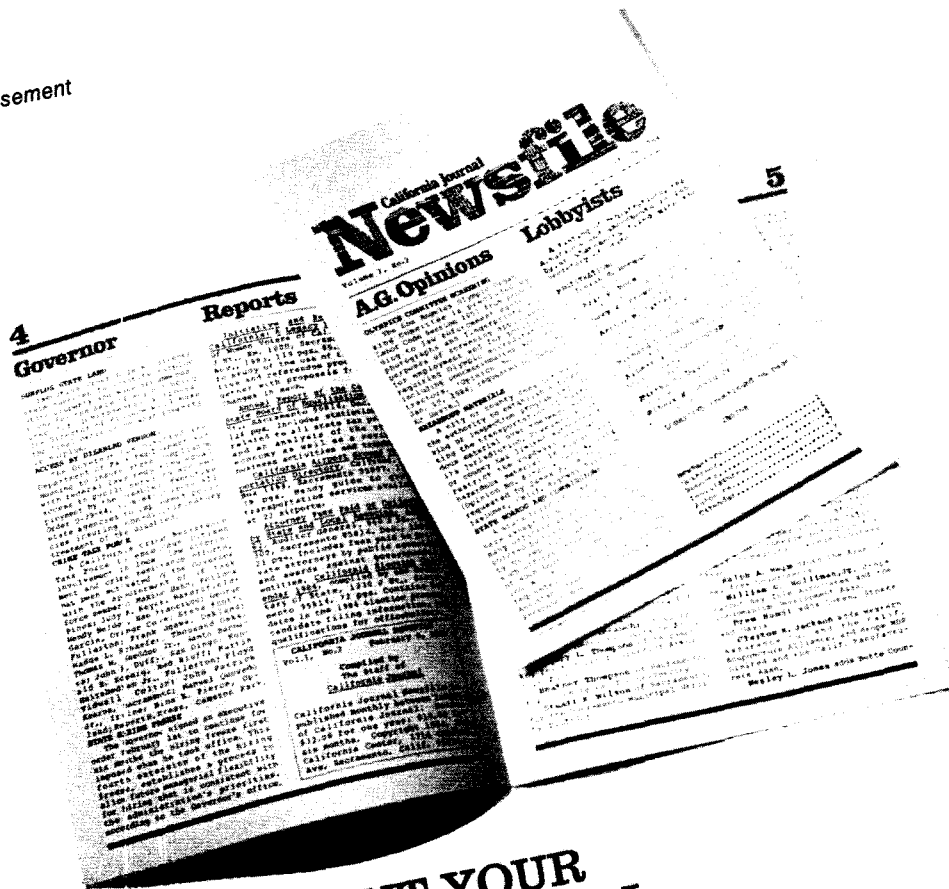
Those who fear that Reagan will show his "true colors" in a second four years must not have been paying attention to what he has done in his first term. He has increased the defense budget beyond his own promises. He has lowered income tax rates, despite the warnings of economists. His basic course on issues of environment and commerce has been pro-development, anti-regulatory and free trade. His Justice Department has worked to strengthen the powers of law enforcement and weaken affirmative action. Despite the grumblings of the extra-chromosome right, Reagan has been the conservative president he said he would be. In fact, he has been as conservative as he could be and succeed.

Of Reagan's success drive, there is no doubt. The key to his character is that he is an achiever, with a competitive spirit framed on the playing fields of Dixon and Eureka and honed in the cutthroat world of Hollywood. He takes pride in his skills as a labor negotiator and, though he has a stubborn streak, knows that the purpose of negotiation is to strike a deal. He compromised on welfare and taxes as governor and on Social Security and taxes as president. Even his most conservative advisers believe he is willing to compromise with the Soviets if they are willing, so that he could leave office in 1989 as a peacemaker. He would certainly compromise with Congress in 1985, which by then would have its own political reasons to deal with the Reagan budget deficit. In fact, Reagan already has compromised more than most people outside Washington realize. He accepted tax increases in 1982 disguised as tax reform. He allowed moderate congressmen and specialists from three previous administrations to redesign his arms-control proposals.

REAGAN WILL RARELY ACKNOWLEDGE that he has changed positions, of course. It is a secret of his success that he proclaims a self-consistency for all seasons, which allows him to claim credit for compromises and preserves him from the cynicism that has corroded the presidencies of greater intellects and lesser men. "I'm willing to take what I can get," Reagan told me in 1968. "You have to take what you can get and go out and get some more next year; that's what the opposition has been doing for years."

It is also what Reagan has been doing, as governor and president, and it should be comforting to voters of all persuasions. We already know what Ronald Reagan will do. We can vote against him if we don't like his policies or his performance. We can vote for him if we want more of the same. Whatever happens, we can't say we didn't know what he stood for.

(Lou Cannon covers the White House for The Washington Post and writes a nationally syndicated column. Leo Rennert, our regular Washington correspondent, is on vacation.)



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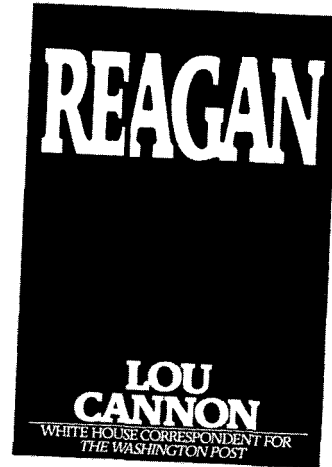
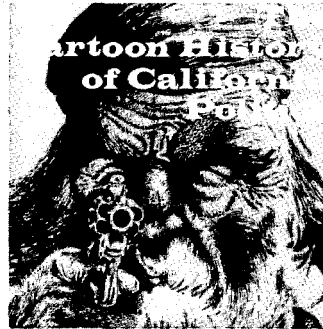
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